

OPEN SPACE TRAIL SYSTEM PLAN



Trail through Nottingcook Forest

FOR THE

TOWN OF BOW, NEW HAMPSHIRE

www.bow-nh.com

Produced by the Bow Trails Steering Committee and
by the Central NH Regional Planning Commission
through funds from the NHDES Regional Environmental Planning Program

OPEN SPACE TRAIL SYSTEM PLAN



Trail through Nottingcook Forest

FOR THE

TOWN OF BOW, NEW HAMPSHIRE

www.bow-nh.com

July, 2000



Produced by:
Bow Trails Steering Committee
10 Grandview Road
Bow, NH 03304

and



Central NH Regional Planning Commission
12 Cross Street
Penacook, NH 03303



*Through the Year-Three Regional Environmental
Planning Program with funding from:*

NH Department of Environmental Services
6 Hazen Drive
Concord, NH 03305

ACKNOWLEDGEMENTS

This Plan was made possible through funding from the NH Department of Environmental Services (NHDES) through the third year Regional Environmental Planning Program (REPP) partnership with the Central New Hampshire Regional Planning Commission (CNHRPC). It was created through a cooperative effort of volunteers and staff of the Town of Bow, the CNHRPC, and NH Department of Resources and Economic Development (NHDRED).

The Bow Trails Steering Committee met on a monthly basis for four months and provided review and comment in the interim. Many members of the public, municipal boards, and not-for-profit organizations participated in one or more meetings. The Steering Committee, represented by a wide variety of interests within the Town, was comprised of many of the following individuals who participated in the planning process:

Conservation Commission:

Kitty Lane
Nancy Rheinhardt
Hilary Warner

Not-for-Profit Organizations:

Rick Adam, Bow Pioneers Snowmobile Club
Barbara Downie, Bow Open Spaces
Philip Downie, Bow Open Spaces
Ray Johnson, Bow Pioneers Snowmobile Club
Tom Ives, Boy Scout Troop 75
Dan Mendelsohn, Bow Open Spaces
Craig Ott, Bow Pioneers Snowmobile Club
Rick Silverberg, Bow Girl Scouts
Jenn Lane, 4-H Easy Riders

Interested Persons/Private Property Owners:

Susan Libby
John Caruso
Susan Caruso

Town Forester:

Ron Klemarczyk

ACKNOWLEDGEMENTS

The staff of the Town of Bow assisted with collection of data:

Bud Currier, Director of Zoning
Bill Klubben, Director of Planning and Community Development
Carol Olson, Assessor Assistant

The CNHRPC staff provided the format, content, and publication of the Plan:

Stephanie Vaine - meetings, research, maps, word processing
John Vaillancourt- GPS trails
Meghan Estabrook - research, word processing

The NH DRED staff previously provided review and comment on the process and of the Plan:

Bob Spoerl, Trails Bureau

The New Hampshire Municipal Association (NHMA) legal staff previously provided review and comment on some of the technical explanations in the **IMPLEMENTATION MEASURES** chapter:

Bernie Waugh, Chief Legal Counsel.

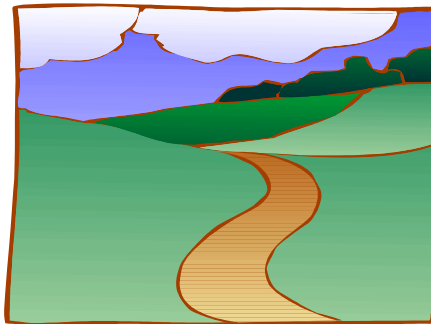


TABLE OF CONTENTS

ACKNOWLEDGEMENTS	i
TABLE OF CONTENTS	iii
EXECUTIVE SUMMARY	v
 <u>I. INTRODUCTION</u>	1
Importance of Open Space and Recreation	1
Bow Master Plan Findings	2
Methodology	4
Goals of the Open Space Trail System Plan for Bow	6
 <u>II. INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY</u>	7
Conservation Land Easements and Permanently Protected Lands	7
Public or Private Parcels for Potential Public Use	13
Rights-of-Way Parcels	16
 <u>III. INVENTORY OF EXISTING TRAILS</u>	31
Non-Motorized Trails	31
Non-Wheeled Motorized Vehicle Trails	35
Summary of Existing Trails and Rights-of-Way	36
 <u>IV. PROPOSED OPEN SPACE TRAIL SYSTEM</u>	39
Railroad / Merrimack River Corridor	41
Powerline Corridors	42
Conservation and Public Land	42
Class VI Roads	44
Scenic, Abandoned, and Discontinued Roads	44
Snowmobile Trails	45
Potential Trails or Trail Linkages on Private Land	46
Summary of Proposed Open Space Trail System	47
 <u>V. IMPLEMENTATION MEASURES</u>	49
Landowner Partnerships	49
Official Trails Designation	53
Trails Management	55
Open Space Management	59
Grants and Funding Programs	62
 <u>APPENDIX A: SAMPLE LEGAL DOCUMENTS</u>	67
Sample Landowner Agreement	67
Sample Bow Open Spaces Conservation Easement Deed	68
Sample Warrant Articles	74

TABLE OF CONTENTS

<u>APPENDIX B: REFERENCED NH STATUTES</u>	77
31:95-b Misc: Appropriation of Funds... During the Year (Powers & Duties of Towns)	77
36-A:5 Appropriations Authorized (Conservation Commissions)	78
79-A:1 Declaration of Public Interest (Current Use Taxation)	79
79-A:4, II Powers and Duties of the Board; Rulemaking (Current Use Taxation)	80
79-A:25 Disposition of Revenues (Current Use Taxation)	81
79-A:25-a Land Use Change Tax Fund (Current Use Taxation)	82
80:80, V Real Estate Tax Liens (Collection of Taxes)	83
212:34 Duty of Care (Liability of Landowners)	84
215-A:1 Definitions (Off Highway Recreational Vehicles and Trails)	85
215-A:34 Posted Land (Off Highway Recreational Vehicles and Trails)	87
228:67 Disposition of Acquired or Abandoned Rail Properties (Admin of Trans Laws)	88
231-A:1 Class A and B Trails (Municipal Trails)	89
231-A:2 Reclassification of Highways (Municipal Trails)	90
231-A:4 Public Trail Use Restrictions (Municipal Trails)	91
231-A:5 Acquisition of New Trails (Municipal Trails)	92
231-A:8 Liability Limited (Municipal Trails)	93
231:93 When Municipalities not Liable (Cities, Towns, and Village District Highways)	94
260:61 Credit Provided; Liability Insurance (Administration of Motor Vehicle Laws)	95
508:14 Landowner Liability Limited (Limitation of Actions)	96
508:17 Volunteers; Nonprofit Organizations; Liability Limited (Limitation of Actions)	97
674:2 Master Plan Purpose and Description (Local Land Use Plan'g and Reg Powers)	99
674:3 Master Plan Preparation (Local Land Use Planning and Regulatory Powers)	101
674:4 Master Plan Adoption and Amendment (Local LU Plan'g and Reg Powers)	102
<u>APPENDIX C: VOLUNTEER RESOURCES</u>	103
Resource References	103
Steps to Creating a Municipal Trail System	110
Volunteer Liability Form	111
Volunteer Trail Maintenance Agreement "Adopt-A-Trail"	112
Trail Maintenance Guidelines "Job Description"	113
Trail Report Form	114
Certification of Volunteerism	115
Recreational Trails	116
Message from PSNH	117
Notice to All Residents	118
Delineation of Actions Allowed on Recreational Easements	119
<u>MAPS OF THE OPEN SPACE TRAIL SYSTEM PLAN</u>	121
Base Map (Map 1)	
Topographic Map (Map 2)	
Public Lands, Easements, and Rights-of-Way Map (Map 3)	
Existing Trail System Map (Map 4)	
Proposed Open Space Trail System Map (Map 5)	

EXECUTIVE SUMMARY

This document was produced by the Bow Trails Steering Committee and the Central New Hampshire Regional Planning Commission over the course of five months of research and meetings. The purpose of creating such a Plan is to focus on what needs to be accomplished in order to protect the open space in Bow and to create a trail system which gives residents and visitors alike the opportunity to enjoy and further appreciate the Town's open space.

This Open Space Trail System Plan, which can be adopted as an element of the Master Plan, had three goals to accomplish:

1. Inventory existing public lands, easements, rights-of-way, and trails;
2. Determine where linkages to the lands and trails should be obtained;
3. Provide recommendations on how to obtain the linkages and maintain a trail system.

By using the Town's tax map and associated tax assessor's index, information was collected on the conservation land easements and permanently protected lands of the Town, on public or private parcels, such as those owned by utility companies, that could potentially be available for public use with landowner permission, on rights-of-way parcels such as those that encompass utility line easements and those that abut Class VI roads, and finally, on the parcels which harbor existing non-motorized and motorized trails. All of the information that was collected is public information readily available at Town Hall.

Five maps accompany the Plan. The **Base Map** shows the names and classifications of all of the roads in Bow plus its streams and ponds, while the **Topographic Map** shows 20' contour lines. The **Public Lands, Easements, and Rights-of-Way Map** shows where the Town-owned land is located as well as other "public" lands, and the **Existing Trail System Map** shows where the official and unofficial trails are located within Town. For the **Existing Trail System Map**, Global Positioning System (GPS) technology was employed to record the actual location of some of the trails. The last map, the **Proposed Open Space Trail System Map**, is the culmination of the research and recommendations of this Plan. It depicts existing and proposed trails, trail linkages, and existing conservation and public lands.

After the extensive inventorying and data collection process, a series of General Recommendations were made to help Bow retain its rural character, to create a trail system, to encourage a greater sense of

EXECUTIVE SUMMARY

community, and to enlarge its undeveloped open space landscape. In addition, specific Recommendations were made based upon the identified opportunities within Town. The opportunities included the Merrimack River and the existing trail system within Cilley State Forest and Pages Corner State Forest. In order to assist the Town with meeting these Recommendations of the Plan, comprehensive sections on implementing the Recommendations have also been included.

The following is a complete listing of the Recommendations within the Plan. The circles and boxes refer to the specific trail as depicted on the **Proposed Open Space Trail System Map**; the

0 indicates an existing trail while the Z indicates a proposed trail or trail linkage.

Recommendations of Conservation and Public Land



- Recommendation: Increase public awareness of existing recreational opportunities on Town-owned lands and public rights-of-way by erecting signs announcing the name of the property/trail, trail locations, allowed uses, and where legal parking is available.
- Recommendation: Create a looping bog walk trail, with a suspension bridge, on the Turee Island Lot off of Birchdale Road.
- Recommendation: Develop a new looping trail around the Page Road Town Forest, then leading to Village Shores, Bow High School, and the School Forest using, in part, the existing snowmobile trail (see also **General Recommendations** and **Recommendations of Snowmobile Trails**).
- Recommendation: Develop a trail from the Walker Forest woods road, down through the recreational easement following Brown Hill Road and onto Class VI Giles Road to the Dunbarton town line.
- Recommendation: Develop a trail in Nottingcook Forest from the woods roads trail in the eastern corner southeast to the edge of the Forest property.
- Recommendation: Develop a trail in Nottingcook Forest south of Woodhill Hooksett Road to facilitate potential future snowmobile trails (see also **Recommendations of Snowmobile Trails**).
- Recommendation: Investigate Cilley State Forest and its borders in Concord to determine its suitability for trails, and if appropriate, investigate the possibility of using the Grist Mill parking lot for parking and/or access.
- Recommendation: Assess Pages Corners State Forest to determine its suitability for trails.
- Recommendation: Continue to map parcels that have easements held by the Society for the Protection of NH Forests (SPNHF) and by other non-local easement holders.
- Recommendation: Erect a sign indicating the existence of the Class VI road/trail that leads from the Class VI segment of West Branch Londonderry Turnpike to Page Road.
- Recommendation: Allow parking for recreational uses adjacent to the Town Forests, and erect signage which indicates parking where is permitted.
- Recommendation: Link the Town Forests to one another by using existing trails or rights-of-way, by seeking easements, or by obtaining landowner permission for a pathway.
- Recommendation: Make the Town Forests accessible to neighborhoods by procuring rights-of-way

Recommendations of Class VI Roads

- Recommendation: Undertake an on-foot survey of all Class VI roads within Town to gauge their ability to sustain certain types of trails usage.
- Recommendation: Identify for designation as Class A or Class B trails some of the Class VI roads within Town by working with abutting landowners (see **IMPLEMENTATION MEASURES**).
- Recommendation: Work with abutting landowners to share maintenance and monitoring duties of the trails or Class VI roads being used as trails.
- Recommendation: Conduct research to ascertain if any of the Class VI roads have been

Recommendations of Scenic, Abandoned, and Discontinued Roads

- Recommendation: Thoroughly research the status of the discontinued roads within Town.
- Recommendation: Where appropriate and after research has been conducted, use select discontinued roads within Town as linkages to other trails or public lands.
- Recommendation: Promote the Scenic Roads in town as an asset and work to incorporate them into the trails network.

Recommendations of Snowmobile Trails

16

- Recommendation: Work with the Bow Pioneers to approach landowners for permission to develop more winter use trails in conjunction with the existing and potential trails opportunities.
- Recommendation: Work with Bow Pioneers to incorporate some of the existing winter snowmobile trails, as appropriate, into an overall trails network for Bow (see also **General Recommendations** and **Recommendations of Conservation and Public Land**).
- Recommendation: Encourage the formation of an OHRV club, incorporated with the Attorney General's Office, and obtain appropriate landowner permission should there be interest in motorized wheeled recreational vehicle use in Bow (see also **General Recommendations**).

Recommendations of Potential Trails or Trail Linkages on Private Land

7 14 15 A D E F

- Recommendation: Encourage Concord and Hooksett, to the north and south of Bow, to develop their sections of the Heritage Trail (see also **Recommendations of Railroad/Merrimack River Corridor**).
- Recommendation: Develop a trail that leads from VanGer Drive to Walker Forest, using existing rights-of-way, in cooperation with abutting landowners.
- Recommendation: Create a trail linkage from the Town-owned land off of Rosewood Drive to the Nottingcook Forest with the permission of private landowners.
- Recommendation: Create a trail network from Nottingcook Forest that links up with the snowmobile trail along the powerline corridor.



I. INTRODUCTION

As the primary constraints for producing a study or plan of any type are time and money, the Regional Environmental Planning Program (REPP) afforded an opportunity to produce this Plan that may not have otherwise become available. Knowing that the Town values its identity and has the desire to balance economic development with conservation, the CNHRPC approached the Town of Bow with an offer to produce an Open Space Trail System Plan at no cost to the Town other than volunteer review and comment. This Plan is intended to serve as a guide toward the creation of a trail network through identification of existing and potential trails and the properties on which they fall; with landowners' permission to utilize a portion of their land, these trails would adequately serve the purposes of conservation, recreation, and economy.

IMPORTANCE OF OPEN SPACE AND RECREATION

New Hampshire itself is prized for its rural character and its eclectic types of outdoor recreation. Our legislators, recognizing the population and development boom that has been occurring since the mid 1980's, have passed a number of laws designed to preserve our open spaces and encourage stewardship of our natural resources. In 1993, the Land Conservation Investment Program (LCIP) unofficially concluded its six-year mission by protecting 248 properties in New Hampshire, totaling 101,000 acres, through a successful public-private partnership. In 2000, Governor Jeanne Shaheen signed into law a new, permanent program entitled the NH Land and Community Heritage Investment Program (LCHIP) which is designed to protect not only natural but also cultural resources and structures through a similar funding mechanism. On the state level, the NH Department of Fish and Game (NH F&G) holds thousands of acres of conserved land, the vast majority of which is accessible to the public for hunting, fishing, snowmobiling, hiking, and other uses. The NH Department of Resources and Economic Development (NH DRED) has similar land holdings and hosts grant programs to promote the development and maintenance of trails. Many private and non-profit organizations also hold easements and titles to key resource parcels. In New Hampshire, open space activities, including tourism, account for 25% of our gross State product.

Incentives given to private landowners encourage them to open their property for use by the public. The Current Use Taxation law (RSA 79-A:1), in effect since July 1973, is a way for property owners to receive a tax reduction based upon their agreement to keep their land undeveloped. Forestry and agriculture are encouraged. This law also offers a 20% reduction of the current use assessment if a property owner agrees to allow the public recreational access to the land 12 months of the year (RSA 79-A:4). Municipalities may adopt a Land Use Change Tax Fund (RSA 79-A:25-a) that places the money acquired from a property leaving current use into a fund, separate from the general fund, for the purpose of purchasing easements or parcels for conservation. In the Town of Bow, presently 100% of the current use monies collected by the Town would go to the Bow Conservation Commission, but as the Town has decided, now are used to pay off the bond for Nottingcook Forest.

Some of the following is excerpted from the Town of Bow Forest Management Plan (Foreco Consultants, 1997), which accurately reflects the sentiment of the townspeople and their conscientious approach to retention of open space and the encouragement of recreation.

INTRODUCTION

Open space is a very important part of any community. It provides aesthetic and recreational opportunities, wildlife habitat, and helps to minimize the “urban sprawl” appearance. The Town of Bow has recently experienced tremendous growth in housing development. Many of those developments carry scenic words in their titles such as “meadows,” “woodland,” and “birchwood,” reflecting the appeal of open space. It is extremely important to protect some open space areas to allow residents to relate to the desirable qualities that originally attracted them to the Town. Access routes to the Town Forests were wisely provided as part of the subdivision plan for many of the new developments.

The Bow Town Forest system’s recreational opportunities include hiking, wildlife observation, cross-country skiing, mountain biking, snowmobiling, and hunting. Although such uses are thought of as incompatible with each other and with active forestry management of the Town Forests, a great deal of the activities take place on the skidder trails and logging roads used for forestry.

In order to address the issues of growth, open space, and recreation, the Planning Board, Bow Pioneers Snowmobile Club, and Bow Open Spaces work together to encourage developers to donate recreational easements for major subdivisions which correlate to an existing open space and recreational trail network. The Pioneers have an extensive trail system throughout Bow and beyond the Town’s boundaries through the State’s network. Bow Open Spaces (BOS) serves as a local land trust to manage many of the lands in Bow that have been permanently protected from development. The Conservation Commission works diligently to ensure that the Town Forests are managed properly and that conservation concerns of the Town are adequately addressed.

A healthy, diverse community is a great attraction to business, tourists, and new residents. What makes a community appealing is its fine balance of development and conservation. The link between open space and recreation is distinct, and it is beneficial for both landowners and the public. There are many types of recreation possible on these lands, and this Plan will focus on the benefit of trails. A trail network will serve to allow alternative modes of transport, particularly for recreation, throughout Bow. The Open Space Trail System Plan for Bow will identify those existing trails and linkages which could be established through landowner contact and cooperation and offers guidance on how to accomplish the Recommendations of this Plan.

BOW MASTER PLAN FINDINGS

A municipal Master Plan (RSA 674:2-4) is intended to be a guide to the current and desired conditions of the Town. These conditions are inventoried in the elements, or chapters, of a Master Plan. Typical Master Plan elements include Transportation, Land Use, Future Land Use, Conservation and Preservation, Historical, Population and Economics, Housing, and Community and Recreational Facilities. The Master Plan, when adopted by the Planning Board,

is the legal basis for the Zoning Ordinance, Subdivision Regulations, and Site Plan Review Regulations of the Town. Although there are currently no laws which require an updated Master Plan within a particular time frame of the last version of the Master Plan, the generally accepted span of time between updates is five to seven years.

An Open Space Trail System Plan is a complement to a Master Plan because it is designed in conjunction with the findings and goals of the Master Plan. Specifically, the Open Space Trail System Plan can be considered a sub-element of the Conservation and Preservation Element and can be adopted by the Planning Board as such at any time.

Although the Town of Bow's most current Master Plan is dated 1992, many of the same goals and objectives established then are relevant today.

Some of the final recommendations discussed in the Master Plan included:

- γ Require that new developments provide for continued use of any recreational trail system located on the property. Protect such trails through the use of recreational easements.
- γ Expand bicycle and nature/walking trails. Consider expansion of these trails on town-owned land.
- γ Require that conservation easements, where necessary, complement the efforts of the planned Heritage Trail.
- γ Provide the Conservation Commission with funding necessary to maintain town-owned conservation land.

In addition, the Town's Forest Management Plan contains a specific set of goals for forestry and open space management in Bow, which include:

- γ Provide enough undeveloped open space to help the Town maintain a rural ambiance and character;
- γ Provide residents with public land for outdoor recreational activities;
- γ Develop high quality, healthy forest types whose harvests will produce sufficient income to cover management expenses and allow the purchase of additional conservation lands;
- γ Provide a variety of productive habitats to maintain a diverse and healthy wildlife population and to protect critical habitat types;
- γ Provide areas for environmental awareness and education; and

INTRODUCTION

The Parks and Recreation Department has also set forth its goals to describe the outcome of its programs, as they affect the lives of Bow residents. They include:

- γ To improve the quality of life in Bow;
- γ To preserve the availability of recreational trails throughout the Town; and
- γ To make recreational trail allowances a desired part of the recreational package when

These goals tie in with the intent of this Open Space Trail System Plan, with the general concepts being echoed throughout this document.

METHODOLOGY

In order to start the process of creating an Open Space Trail System Plan, a group of volunteers representing both public and private interests in Bow formed. Meeting five times between February and June 2000, the Bow Trails Steering Committee, led by a core of Conservation Commission members, provided guidance as well as review and comment on the maps and materials that CNHRPC produced. In addition, many also wrote descriptions of different trails or parcels and conducted independent research for sections of the Plan.


At the first meeting on February 28, the volunteers corrected the road names and road classifications within Town, identified the existing trails, and verified conservation lands. At the second meeting on March 27, volunteers reviewed the first draft of this Plan and the resulting draft trails map. At the third meeting on April 24, the volunteers reviewed the second draft of the Plan and a draft of the open space trail system map to be incorporated into the Plan. At the fourth and fifth meetings on May 22 and June 26, the volunteers reviewed the final version of the Plan that CNHRPC staff would be assisting with. After the publication of this July 2000 version, the Bow Trails Steering Committee will decide whether to further review and amend the Open Space Trail System Plan before bringing the document before the Planning Board.

In between the meetings, CNHRPC staff researched the parcels on which the trails and rights-of-way fell, and researched the conservation land and Town-owned land using the Town tax maps and the April 2000 tax assessment index. Detailed parcel information was obtained, including Block and Lot number, Acreage, and if the parcel was not currently protected from development, whether the parcel was in Current Use and if a Building was located on it. Information of this nature not only provides description of the parcel, but may also be relevant in determining the likelihood of the landowner to grant public access to the parcel. All of this information is available and accessible to the general public during normal Town Hall business hours.

In addition, if the parcel had a trail/right-of-way on it, was publicly owned, or was protected from development, educated assumptions about the Management responsibilities were listed as well as if the landowner has granted permission for any Public Uses of that parcel. Where the Management or Public Uses of a parcel were unclear, the Bow Trails Steering Committee felt it most appropriate to defer to the privacy of the landowner.

Using a Global Positioning System (GPS) unit, CNHRPC staff located several of the trails identified by Steering Committee members. Individuals walked the trails with the GPS unit, which uses orbiting satellites to record the actual position of objects (trails, in this case) on the ground. The resulting data from the GPS unit can be used in a Geographic Information System (GIS) for the production of maps. In this Open Space Trail System Plan, GPS'd trails data has been incorporated into and used with existing GIS data layers to create the maps found at the back of this Plan. The trail segments that have been located using a GPS are indicated by a symbol beside their descriptions in the two **INVENTORY** sections.



An important limitation of GPS to consider is its inability to correlate to the Town's tax maps because of different source data and different scales. Therefore, the tax map has not been used with this map series. Those trails indicated in the Plan with a  may or may not have the appropriate parcels listed. Additional field checking should be completed.

After completion of the inventory of conservation lands, easements, rights-of-way, and trails, the Bow Trails Steering Committee examined these assets and presented a proposed open space trail system. This system incorporates the existing trails and protected lands findings with the potential future trails and open space options, and gives a series of Recommendations to be undertaken for reaching the goals of the system.

Staff of the CNHRPC previously consulted with the Trails Bureau staff of the NH Department of Resources and Economic Development (NH DRED) to ensure that relevant issues were adequately addressed in the Plan. In addition, the staff of the NH Municipal Association (NHMA) was previously consulted to verify the accuracy of the references to the NH Revised Statutes (NH RSAs).

*The Bow Steering Committee and CNHRPC staff completed this Plan to the best of their ability with the information that was available. Additional research needs to be completed on the status of each Class VI road; further investigation should be undertaken before performing any legal procedure suggested in the **IMPLEMENTATION MEASURES**. Although there are no guarantees on the accuracy of the data presented or on the interpretations made of the NH RSAs, everyone involved with this Plan put forth their best faith efforts in order to produce a viable, practical Open Space Trail System Plan for the benefit of the Town of Bow.*

GOALS OF THE OPEN SPACE TRAIL SYSTEM PLAN FOR BOW

This Plan is designed to accomplish three goals:

1. Inventory existing public lands, easements, rights-of-way, and trails;
2. Determine where linkages to the lands and trails should be investigated;
3. Provide recommendations on how to obtain the linkages and maintain a trail

1. Inventory existing public lands, easements, rights-of-way, and trails

An inventory of the conservation easements, conservation lands, publicly owned lands, rights-of-way on private land, and private lands that allow or may be requested in the future to allow public access, gives a solid picture of where the Town stands in terms of its open space and a trail system. The two concepts are intertwined. Using a trail to enjoy the scenic and natural beauty of the land promotes a connectedness to the land and the community, and the cooperation involved in acquiring the land for public access encourages the enjoyment of the land through that cooperation and the land's stewardship.

2. Determine where linkages to the lands and trails should be obtained

Conservation land, including the land owned by the Town of Bow and the State, creates a basis for a trail system. Coupled with existing formal (Bow Pioneers' trails) and informal trails (Class VI roads and logging trails), connections can be graphically viewed through maps and potential connections can be determined to enhance the existing open space and trail system.

Different trails and conservation lands have their own unique uses that are directly attributed to the topography, soils, and natural resources as well as the desires of private landowners to have their land enjoyed by the public in particular ways. Multi-use trails can safely accommodate different types of uses where appropriate trail construction or planning has been utilized.

3. Provide recommendations on how to obtain the linkages and maintain a trail system

Following the data collection stage comes putting the data to work. Landowner participation will be an integral factor in the overall success of the Plan; they should be educated about the benefits of conservation and contacted about the possibility of opening their land to public access. Trails can be officially designated by the Town, and strategies for their maintenance and promotion will be discussed. A comprehensive **APPENDIX** series will contain documentation and assistance with many of these issues.



II. INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

The first step to any plan is to identify what currently exists of what one is attempting to study. By giving a detailed listing of parcel information as well as a description of the property or right-of-way, it becomes easier to determine what the next steps will be for enhancements, landowner agreements, or determination of appropriate trail usage. Many properties have characteristics that are better suited for certain types of trails usage; for example, trails along a riverbank or waterbody are generally not suited

Special attention should be given to any Public Uses listing in this Plan as the majority of the parcels listed as having potential for a trail or are currently being used as a trail are privately owned.

for motorized use, nor are trails susceptible to erosion. Also, landowners that have given permission for one use, such as winter snowmobiling, may not be willing to allow summer hikers to cross their land. Throughout the Plan, it is imperative to remember that almost all land is privately owned and needs to be respected as such regardless of its being listed in this Plan.

This section is dedicated to the inventorying of the conservation and recreational land easements on private property, public land owned by the Town of Bow, land owned by private public service companies, Class VI roadways, and powerline easements. Although some charts will change slightly due to the information being collected, Block and Lot number are always indicated as well as the Acreage. A "n/a" listing is an abbreviation of "not applicable" when a tax-exempt parcel is listed. As a matter of public record, this same information and additional information can be found in the Bow Town Offices.

CONSERVATION LAND EASEMENTS AND PERMANENTLY PROTECTED LANDS

Property ownership is a combination of privileges that allows a landowner to exercise certain rights. Conservation easements are restrictions that landowners voluntarily place upon their property that legally bind the present and future owners of that property, restricting their ability to use some of those rights in order to protect the natural features of the land. Many public agencies and private organizations make these permanent agreements with landowners and oversee their compliance. All of the public lands, conservation lands, and recreational easements are located on the **Public Lands, Easements, and Rights-of-Way Map**.

This Section

- γ Conservation Easements
- γ Recreational Easements
- γ Town-Owned Conservation Parcels
- γ Other Owned Conservation

Bow Open Spaces (BOS), Inc is a not-for-profit local land protection organization created and run by a dedicated group of volunteers. BOS holds easements on many of the Town-owned lands that will be listed in the **Town-Owned Conservation Parcels** later in this section. The public uses of easements held by Bow Open Space are forestry and outdoor recreation, including but not limited to: hiking, hunting, fishing, cross-country skiing, horseback riding, snowmobiling, non-motorized biking, and for use of non-motorized vehicles.

Conservation Easements

Easements permanently protect the land from development. While the spirit of a conservation easement suggests that the land is open to the public for use, each conservation easement deed is uniquely tailored to suit the needs and desires of the landowner. Therefore, many conservation easements may or may not allow public access. Particular attention should be paid to the Public Uses column before the general public makes any assumption as to the parcels' usage. Where there is any doubt about the ability of the public to use a parcel of land, the landowner or easement holder should be contacted for clarification. In this section, privately owned parcels with conservation easements on them will be listed; only one such easement is found in Bow.

Meadowsend Timberland Easement

This easement is held by the Society for the Protection of NH Forests and covers around 21 acres of the parcel. It is adjacent to the Morgan Town Forest and the Branch Londonderry Turnpike East Lot, making the Town Forests contiguous.

Name	Block #	Lot #	Acres	Management	Public Uses
Meadowsend Timberland Easement	3	61 A	31.72	SPNHF	contact SPNHF

Recreational Easements

Since the late 1980's, the Planning Board has been encouraging the donation of recreational easements to the Town or to the Bow Pioneers when developers come forth with major subdivisions. The developer is encouraged to respect the integrity of existing trails and easements. If the subdivision infringes upon the use of a trail, then it must be relocated or money must be given to the town in its place (see **Appendix C**, *Recreational Trails*). These easements are granted both to protect open space and to afford a recreational snowmobile trail linkage to the well-established trails existing in Bow. In some cases, the Bow Pioneers are responsible for their maintenance. They do not necessarily follow parcel boundaries, so only locational descriptions are listed here. Research of major subdivisions over the last twelve years has yielded eleven such recreational easements:

- (1) Located on the north side of the Class VI portion of the West Branch Londonderry Turnpike beginning at the intersection with Hidden Forest Drive. Continues east on the Turnpike for a short distance before heading north. The easement was granted in 1996.
- (2) South of the intersection of Brown Hill Road and Page Road, with access to Page Road, Walker Forest, and Brown Hill Road. This easement was granted in 1995.
- (3) Abutting the Page Road Town Forest northwest of Shaw Divide. The easement was granted in 1999.
- (4) On the Dunbarton-Bow Town Line with access on the eastern boundary to South Dunbarton Road. This easement was granted in 1998.
- (5) On Heidi Lane with access to the Knox Road Town Forest. It is a recreational easement and natural preserve. The easement was granted in 1995.
- (6) South of Meadow Lane cul-de-sac abutting the Knox Road Town Forest. This easement was granted in 1999.
- (7) North of Nesbitt Drive, south of the Knox Road Town Forest. This easement was granted in 1995.
- (8) East of the intersection of Erin Drive and Dean Avenue, crossing the PSNH powerline corridor, with access to Robinson Road. This easement was granted in 1996.
- (9) South of the Bow Bog Town Forest, with access on its southwesterly side to Bow Bog Road, and bisected by a PSNH powerline corridor. The easement was granted in 1995.
- (10) Beginning at the northern end of Nathaniel Drive, and continuing north. This easement was granted in 1998.

- (11) North of Erin Drive, with access to the Robinson Road Town Forest and the Bow Bog Town Forest.
It is a 20-foot wide recreational easement that was granted in 1996.

Town-Owned Conservation Parcels

The Town owns several conservation parcels, all of which are managed by the Conservation Commission as Town Forests. Some Town Forests have been permanently protected from development through easements. The Town Owned Conservation Parcels category is an important piece of the open space puzzle because the undeveloped lots generally allow public use of the land for certain purposes. In Bow, an active Forest Management program allows for the protection of habitat, the selective cutting of timber, and for the conservation of open space, which is unique because most of the forests are Town Forests.

Bela Brook Town Forest

The Bela Brook Town Forest is located along Clinton St. (Rte. 13) at the Bow-Dunbarton Town Line. The eastern boundary of this Town Forest runs along One Stack Brook for a short distance and continues southeasterly along Bela Brook for 4420 feet. Beaver activity has raised the water table in some parts, creating marshy areas.

Name	Block #	Lot #	Acres	Management	Public Uses
Bela Brook Town Forest	4	26	76.1 (tot)	Cons Comm	contact Cons Comm
Bela Brook Town Forest	4	27		Cons Comm	contact Cons Comm

Turee Island Town Forest

Turee Island Town Forest is located on the east side of Birchdale Road. It consists of 43.5 acres of prime wetland and 52 acres of upland. Thirty-two acres of the upland is an island within the marsh complex. It is the only non-developed island within the marsh. The island is a hill that rises out of the marsh, with moderately to steeply sloped hillsides. Access to the island is possible when the marsh is frozen or during dry spells. New Hampshire Fish and Game holds the easement for this lot.

Name	Block #	Lot #	Acres	Management	Public Uses
Turee Island Town Forest	4	50	95.5	NH Fish & Game	contact NH F & G

Hanson Park Town Forest

Hanson Park is located on the southwestern side of Albin Road, about $\frac{3}{4}$ of a mile from Logging Hill Road. Sixteen acres of the site is currently used as the Town's ballfield and for recreational purposes. A large portion of the site is prime wetland that adjoins Turee Pond. The Bow Conservation Commission holds the easement for this lot. The Bow Conservation Commission holds the easement for this town forest, but it is partly managed by the recreation department.

Name	Block #	Lot #	Acres	Management	Public Uses
Hanson Park Town Forest	4	77	150	Cons Comm	contact Cons Comm

Walker Town Forest

Walker Town Forest is located on the southwest side of the Class VI portion of the Branch Londonderry Turnpike-West. An old hiking trail can be found in the western part of the lot, but the Birchdale Hills development has impeded its use. The terrain in this town forest will limit use to pedestrian only. The town owns the property and the easement is held by Bow Open Spaces.

Name	Block #	Lot #	Acres	Management	Public Uses
-------------	----------------	--------------	--------------	-------------------	--------------------

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

Walker Town Forest	4	116	207.6 (tot)	BOS	contact BOS
Walker Town Forest	4	118		BOS	contact BOS
Walker Town Forest	4	119		BOS	contact BOS
Walker Town Forest	4	120		BOS	contact BOS
Walker Town Forest	4	121		BOS	contact BOS

Heather Lane Town Forest

The Heather Lane Town Forest is a gently sloping lot, featuring some small streams that are part of a watershed that flows into the Merrimack River. There is an old farmstead site in the center of the lot, where a house and barn foundation can be found, as well as a stone-lined well and two boulder quarries.

Name	Block #	Lot #	Acres	Management	Public Uses
Heather Lane Town Forest	5	64	39	Cons Comm	contact Cons Comm

Page Road Town Forest

This site is located on the northeast side of Page Road, about a ½ mile west of the White Rock Hill Road intersection. Its access road, which is found on Page Road, runs in a northerly direction as a skid trail, but turns into a foot trail towards the lot's northwest corner. The lot is located on the northwest slope of White Rock Hill, and features gentle to steep slope conditions.

Name	Block #	Lot #	Acres	Management	Public Uses
Page Road Town Forest	4	56	56.3	Cons Comm	contact Cons Comm

Morgan Town Forest

Morgan Town Forest is located off of the southwest side of the Class VI part of Branch Londonderry Turnpike. It is part of the Bow Bog Brook watershed, and features an intermittent stream that enters the property at the northern corner and runs into a forested wetland. Bow Open Spaces holds the easement for this site.

Name	Block #	Lot #	Acres	Management	Public Uses
Morgan Town Forest	3	63	62.2	BOS	contact BOS

Hunter Drive Town Forest

This Town Forest is located on the northeast side of Line Hill Road, a Class VI Road, on the Bow-Dunbarton Town Line. There is a 30 foot wide by 700 foot long transmission right-of-way contained in the lot, however, an intermittent stream runs down the middle of it for a large part of its span, making it unusable for anything other than foot traffic.

Name	Block #	Lot #	Acres	Management	Public Uses
Hunter Drive Town Forest	3	2	15.6 (tot)	Cons Comm	contact Cons Comm
Hunter Drive Town Forest	3	2Y		Cons Comm	contact Cons Comm

Nottingcook Forest

Nottingcook Forest lies on both sides of the Class VI portion of Woodhill Hooksett Road. It also has some access to the northeast to Allen Road and frontage on Abbey Road and stretches west to the Bow-Hooksett Town Line. There are some swampy and marshy areas within the forest, as well as a few streams and a reclaimed gravel pit. In addition, in one of the lots at the north of the forest there is a glacial formation called a kettle hole. The terrain is fairly flat in the portion north of Woodhill Hooksett Road and there are some existing woods roads and trails within it that are extensively used for

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

recreational purposes. Bow Open Spaces holds the easement for most of the parcels in this forest but portions of lots 63A and 69 are not under easement.

Name	Block #	Lot #	Acres	Management	Public Uses
Nottingcook Forest	2	43 C	767 (tot)	BOS	subject to BOS restriction
Nottingcook Forest	2	44		BOS	subject to BOS restriction
Nottingcook Forest	2	45		BOS	subject to BOS restriction
Nottingcook Forest	2	46		BOS	subject to BOS restriction
Nottingcook Forest	2	53 E		BOS	municipal use
Nottingcook Forest	2	53 E23		BOS	subject to BOS restriction
Nottingcook Forest	2	53 E7		BOS	subject to BOS restriction
Nottingcook Forest	2	53 E8		BOS	municipal use
Nottingcook Forest	2	58		BOS	subject to BOS restriction
Nottingcook Forest	2	61		BOS	subject to BOS restriction
Nottingcook Forest	2	63		Town of Bow	subject to Town restriction
Nottingcook Forest	2	63 A		BOS	subject to BOS restriction
Nottingcook Forest	2	63 B		BOS	subject to BOS restriction
Nottingcook Forest	2	65 A7		BOS	subject to BOS restriction
Nottingcook Forest	2	69		Town of Bow	subject to Town restriction
Nottingcook Forest	2	73 B		Town of Bow	subject to Town restriction

Bow Bog Town Forest

The Bow Bog Town Forest is located off of the northeast side of Bow Bog Road, behind the Bow Bog Meetinghouse. Part of the Bow Bog is contained in the forest and the Bow Bog Brook runs through it. Beaver dams have caused most of the lowland to be flooded. This wetland complex is a very productive wildlife habitat.

Name	Block #	Lot #	Acres	Management	Public Uses
Bow Bog Town Forest	2	77	153 (tot)	Cons Comm	contact Cons Comm
Bow Bog Town Forest	2	78		Cons Comm	contact Cons Comm
Bow Bog Town Forest	2	82		Cons Comm	contact Cons Comm
Bow Bog Town Forest	2	83		Cons Comm	contact Cons Comm

Johnson Road Town Forest

This town forest is located along the west side of Interstate 93. It contains two powerline rights-of-way that occupy 35 acres. It also contains a small wetland complex and an old farmstead site. The Town owns this property, for which Bow Open Spaces holds the easement.

Name	Block #	Lot #	Acres	Management	Public Uses
Johnson Road Town Forest	2	88A	203 (tot)	BOS	contact BOS
Johnson Road Town Forest	2	126		BOS	contact BOS
Johnson Road Town Forest	2	128		BOS	contact BOS
Johnson Road Town Forest	2	135 A		BOS	contact BOS
Johnson Road Town Forest	2	137 A		BOS	contact BOS
Johnson Road Town Forest	2	141 A		BOS	contact BOS

Robinson Road/ I-93 Town Forest

This town forest is located on the south side of Robinson Road along the west side of I-93. The Bow Bog Brook and two of its tributaries run through this lot and beaver dams along the brook have created several beaver ponds. Recreational use of this town forest is quite heavy, but there is little public parking. Though the Conservation Commission manages this town forest, it is thought that New

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

Hampshire Fish and Game holds an easement for part of the land, but further research should be conducted.

Name	Block #	Lot #	Acres	Management	Public Uses
Robinson Road/ I-93 Town Forest	2	97	308 (tot)	Cons Comm	contact Cons Comm
Robinson Road/ I-93 Town Forest	2	119		Cons Comm	contact Cons Comm

Robinson Road Town Forest

This lot is located on the southeast side of Robinson Road. Wetlands comprise 1.7 acres of the lot. The Bow Bog Brook and one of its tributaries run through the lot and there is a small vernal pool located within it.

Name	Block #	Lot #	Acres	Management	Public Uses
Robinson Road Town Forest	2	122	21.7	Cons Comm	contact Cons Comm

Knox Road Town Forest

The Knox Road Town Forest is located on the south side of Knox Road, east of Bow Center Road. It is a hilly area. It is part of three watersheds, and has wetlands located along its eastern border, as well as several vernal pools scattered throughout. The Town owns the parcel and Bow Open Spaces holds the easement for this site.

Name	Block #	Lot #	Acres	Management	Public Uses
Knox Road Town Forest	3	138	318	BOS	contact BOS

Other Owned Conservation Parcels

This category is reserved to list conservation lands owned by the State (such as a State Forest) or by a land trust (such as a conservancy). These parcels are believed to be permanently protected from development and are enforced by an agency other than the Town of Bow. The public is allowed to use these parcels for certain purposes.

Pages Corner State Forest

Pages Corner State Forest is located off of Stickney Hill Road. The lot is partly wetlands and can best be described as wet and brushy.

Name	Block #	Lot #	Acres	Management	Public Uses
Pages Corner State Forest	4	6	88.0	NH DRED	subject to State restrict.

Cilley State Forest

The Cilley State Forest is composed of farm and woodland off of I-89 at the Turkey River. It is located behind the Grist Mill Restaurant. A PSNH corridor runs through it, and the land is very damp. Some of the land in the forest is in the floodplain.

Name	Block #	Lot #	Acres	Management	Public Uses
Cilley State Forest	1	35	35.0	NH DRED	subject to State restrict

St Paul's School Land

The St. Paul's School Property is located between Turee Island & Richard Hanson Memorial Area on the Concord border. The lot is covered in wetlands and would not be passable in warm weather.

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

Name	Block #	Lot #	Acres	Management	Public Uses
St Paul's School Land	4	63	136.0	St Paul's School	contact St Paul's School

PUBLIC OR PRIVATE PARCELS FOR POTENTIAL PUBLIC USE

A significant number of acres within the Town are either owned publicly by the Town itself or by private companies that provide types of public services to the Town. The Town-owned parcels in particular are important to document because of the relative ease of using the properties in a conservation- or recreation-related manner.

This Section

- γ Utility Parcels
- γ Local, State, and Federal Public Parcels

Utility Parcels

Land owned or managed by private companies providing a public service to the Town can serve a unique purpose. Mutually beneficial agreements can be forged between these companies and the Town: the Town gets to place a trail on the land and the utility company gets to publicize its community service to the Town. In addition, such land is also valuable from an open space standpoint because of its relative permanence and minimal development.

Public Service of New Hampshire (PSNH) Parcels

A listing of those private properties upon which PSNH holds an easement is to be found in the **Rights-of-Way** section. However, PSNH does own a number of parcels in Bow, a selection of which is listed below for their possible value in the creation of a trail network.

One of the parcels below contains public ball fields. Another parcel contains a boat ramp to the Merrimack River that is accessible to the public, which is either leased to the Town of Bow or has been sold to the Town for \$1. It is unclear from the tax records what the exact status is.

Name	Block #	Lot #	Acres	Management	Public Uses
PSNH Parcel	2	8F	23.0	PSNH	none
PSNH Parcel	2	12	1.36	PSNH	none
PSNH Parcel	2	92	1.4	PSNH	none
PSNH Parcel	2	152A	?	PSNH	public boat launch
PSNH Parcel	2	200	211.0	PSNH	none
PSNH Parcel	2	200A	69.0	PSNH	public ballfields
PSNH Parcel	2	200B	141.0	PSNH	none
PSNH Parcel	2	200C	13.8	PSNH	none
PSNH Parcel	2	200E	10.4	PSNH	none
PSNH Parcel	5	3	19.0	PSNH	none
PSNH Parcel	5	3A	5.0	PSNH	none

Telephone Company Parcels

Despite their semi-public function, these parcels are generally too small to accommodate a trail or to contribute to an open space network. However, in the future, linkages might be well suited to cross over these parcels with the cooperation of the telephone company.

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

Name	Block #	Lot #	Acres	Management	Public Uses
NE Telephone Company	2	109C	0	NE Telephone	none
NE Telephone Company	5	72J	0.23	NE Telephone	none

Local, State, and Federal Public Parcels

Land that the Town of Bow and the State of New Hampshire own but which are not officially conservation lands are listed here. There are no significant federally owned parcels in the Town.

Other State-Owned Parcels

This category is reserved for those parcels that are owned by the State but are not necessarily accessible to the public for general use. In addition to the lots already mentioned under the **Other Owned Conservation Parcels** section, the NH Department of Fish and Game, and the NH Department of Transportation (NH DOT) own a collection of smaller lots not specifically used for conservation purposes. There are several lots located along I-93, and they are assumed to be managed by NH DOT.

Name	Block #	Lot #	Acres	Management	Public Uses
Junction of Betty Lane and I-93	1	138	2.11	NH DOT	unknown
Abutting Pages Corner State Forest	4	5F	2.96	NH DOT	unknown
Turee Pond Boat Launch Parcels	4	?	?	NH Fish & Game	boat launch
Along Route 3A	5	28A	8.4	NH DOT	unknown
7 Dow Road	5	42A	4.2	NH DOT	unknown
Along Baker Road	5	49A	3.4	NH DOT	unknown
Along Route 93	5	59	55.0	NH DOT	unknown

Town of Bow Parcels

The Town itself owns a significant number of parcels of various sizes that have been acquired through different means. A selection of these parcels is listed here because of their potential future ability to contribute to the Town's open space trail system through linkages or parking opportunities. In addition, several parcels have been previously mentioned and are not listed here. Unless the parcel was known to provide a specific recreational benefit, only those parcels larger than two acres have been inventoried. Further research should be conducted to adequately assess the public uses for each parcel.

Name	Block #	Lot #	Acres	Location	Public Uses
Town of Bow Lot	1	85	2.3	off I-93	unknown
Town of Bow Lot	1	142 A	.49	Grandview Rd.	unknown
Town Offices	1	143	1.3	Grandview Rd.	Town Offices
Town of Bow Lot	1	143 A	1.8	Grandview Rd.	unknown
Town of Bow Lot	2	5	58.47	S. Bow-Dunb. Road	unknown
Town of Bow Lot	2	29 P	12.22	Merril Crossing	unknown
Town of Bow Lot	2	65 A7	3.27	Risingwood Dr.	unknown
Town of Bow Lot	2	73 B	13.44	Allen Road	unknown
Bow Meetinghouse	2	79	1.09	Bow Bog Rd.	meetinghouse
Town of Bow Lot	2	83	11.1	Johnson Rd.	unknown
Town of Bow Lot	2	102	31.0	Route 3A	unknown
Bow Police Department	2	109	5.19	Robinson Road	unknown

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

Town of Bow Lot	2	130	21.0	Bow Bog Road	unknown
Town of Bow Lot	3	42 G	3.55	Nathaniel Drive	open space
Town of Bow Lot	3	65 D13	7.4	Arrowhead Drive	unknown
Center School	3	69	0.45	Woodhill Rd	school
Town of Bow Lot	3	95	1.0	Bow Center Road	unknown
Bow Elementary School	3	106	38.42	Bow Center Road	school
Bow High School	3	108	33.0	White Rock Hill Rd	school
Community Building	3	147	28.0	Knox Road	Community Building
Town of Bow Lot	4	14	5.4	Hooksett Tpk.	unknown
Town of Bow Lot	4	20	1.1	Hooksett Turnpike	unknown
Town of Bow Lot	4	29	1.3	Clinton Street	unknown
Town of Bow Lot	4	30 A3	2.7	N. Bow-Dunb. Rd.	unknown
Town of Bow Lot	4	44	6.8	Rollins Road	unknown
Town of Bow Lot	4	50 I	2.09	Island Dr.	Access to Turee Is. TF
Town of Bow Lot	4	50 J	1.16	Island Dr.	Access to Turee Is. TF
Turee Pond Boat Launch	4	66	9.0	on Turee Pond	boat launch
Turee Pond Boat Launch	4	67	10.0	on Turee Pond	boat launch
Town of Bow Lot	4	71	1.91	Woodhill Rd	unknown
Town of Bow Lot	4	73	.83	Logging Hill Road	unknown
Town of Bow Lot	4	76	18.6	Melanie Lane	unknown
Town of Bow Lot	4	76 F	.46	Melanie Lane	unknown
Town of Bow Lot	4	90 A	10.65	Brown Hill Road	unknown
Town of Bow Lot	4	127 K20	11.31	Longview Dr.	unknown
Town of Bow Lot	5	9 U	7.9	Lincoln Dr.	unknown
Town of Bow Lot	5	10	7.2	Route 3A	unknown
Town of Bow Lot	5	64	38.0	Poor Richards Dr.	unknown
Town of Bow Lot	5	68	17.0	Knox Road	unknown

School Forest

The School Forest abuts the Knox Road Town Forest and contains many trails. The lot is partially comprised of wetlands. Access to the School Forest can be gained by way of Bow Center Road.

Name	Block #	Lot #	Acres	Management	Public Uses
Bow School Forest	3	149	105.0	Bow School District	snowmobiling, hiking

Branch Londonderry Turnpike East Lot

This lot is property of the Bow School District and has its own Forest Management plan. It is across the Branch Londonderry Turnpike East from the Morgan Lot, and the Meadowsend Easement creates a contiguous span of forest by uniting the Morgan lot with this lot. It has many newly blazed trails and interesting features such as old mill sites and cellar holes, as well as wetlands.

Name	Block #	Lot #	Acres	Management	Public Uses
Branch Londonderry Tpk East Lot	3	62	62.0	Town	subj. to Town restrict.

RIGHTS-OF-WAY PARCELS

Rights-of-way are defined as those strips of land acquired by reservation or dedication to be occupied by a road, crosswalk, railroad, electric transmission line, water line, or other similar uses. The right of a person

This Section

- γ Railroad Rights-of-Way
- γ Class VI Roads
- γ Scenic, Discontinued, and Abandoned Roads
- γ Utility Corridor

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

or representatives of an entity to cross over the property of another is granted. For the purposes of this Plan, the types of rights-of-way that will be examined will be those of railroad, Class VI unmaintained Town roads, and powerline easements because they are more conducive to encouraging trails activities.

Parcels are identified by Block and Lot number, with a listing of the Acreage of the property. In addition, the Town tax records indicate if the parcel is in Current Use and if a Building is located on the property. Examining these particular features of a parcel make it easier to identify if the land is more apt to be utilized as a trail, or if applicable (such as powerline easements, where only the utility company is officially granted access), if a landowner is more likely to grant additional access to his or her property. A "n/a" listing indicates that the parcel is tax-exempt. When identifying who is responsible for Management, the intent is to note who has agreed to take responsibility for overseeing the maintenance of the right-of-way. In the case of Class VI Roads, the right-of-way is Town owned, but is not maintained by the Town. Close attention should be paid the Public Uses of any parcel listed in this section, as some rights-of-way are inherently open to the public while others are not.

The corridors (powerline) identified in this section are referenced by a circled number ⁰ which correlates to the **Public Lands, Easements, and Rights-of-Way Map** and the **Existing Trail System Map** found at the back of this Plan.

Former Railroad Rights-of-Way

In the mid-1850's, the industrial age was beginning to take shape throughout the country with the advent of the railroad. New Hampshire was home to 1,200 miles of newly-constructed railroad track by the mid-1880's. Not only did the arrival of the train era bring the ability to export local timber resources and textiles, it also allowed for the convenient moving of people.

After a 1905 state law was passed that established a state highway system, plus the arrival of and popularity of motor cars, our dependency on the railroads within New Hampshire diminished. Many were abandoned or dismantled; the State claimed some of the former rights-of-way and so did abutting landowners.

Former railroad rights-of-way offer tremendous recreational potential. They are typically flat, hard-packed, straight beds, with the ties removed, that run continuously for miles. Within the Town of Bow, the Boston and Maine Railroad's legacy still has a presence along the Merrimack River. The track itself is active and often used for the transport of goods. As of the writing of this Plan, public use of and public access onto the railroad bed are not allowed for safety and liability reasons.

Class VI Roads

Municipal highways become known as Class VI roads if they are unmaintained for five or more years, if they are voted as "discontinued subject to gates and bars" at Town Meeting, or less commonly, if a strip of land which was not previously a roadway is "laid out" subject to gates and bars under an old law. Regardless of how a road became Class VI, the town is not obligated to maintain it. Class VI roads "discontinued subject to gates and bars" at Town meeting (meaning the public still has the right-of-way) are different from roads that have been voted at Town Meeting as "discontinued" (meaning that the roadway is permanently no longer a public right-of-way).

Typically, Class VI roads are public rights-of-way that are used for recreational purposes, for through-travel, for driveway access (with permission of Selectmen), and for other uses such as agricultural and forestry activities. The Town is not liable for damages or injuries incurred while traveling on a Class VI

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

road (RSA 231:93). In addition, the owners of the properties abutting the Class VI road are not liable for damages or injuries sustained to users of the road, although they may choose to maintain the road for access to their property. A Class VI right-of-way is one of the best types of rights-of-way to consider for a recreational trail system: there are no inherent liability concerns, the pathway has been established, and public access is allowed.

The parcels in this section are so listed because of the inherent interest an abutter has to a Class VI road (vehicular access to property, privacy, particular concerns, etc). The Management column in this section lists "n/a" because private landowners are responsible for their own property. Although the Class VI road rights-of-way belong to the Town, they are not maintained by the Town, or "enforced" by them. The Public Uses listed in this section refer to the uses of the *right-of-way*, not to any private parcel that is listed here.

For the purposes of this Plan, it is assumed that the Class VI roads listed in this section are public rights-of-way that have not been discontinued or are not private roads. Extensive research of Town Meeting records would need to be undertaken to verify this assumption.

Class VI Baker Road

Baker Road west of I-93 is one-quarter mile long and is accessible from Knox Road or the end of Clearview Drive. It is a small foot trail with wet areas and is wooded with old stone walls, which also passes the foundation of the Mary Baker Eddy homestead.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Baker Road	5	28	24.0	Y	N	n/a	general public use
Class VI ROW: Baker Road	5	28 A	8.4	N	N	n/a	general public use
Class VI ROW: Baker Road	5	30 A	1.05	N	Y	n/a	general public use
Class VI ROW: Baker Road	5	30 N	2.08	N	Y	n/a	general public use
Class VI ROW: Baker Road	5	30 O	2.02	N	Y	n/a	general public use
Class VI ROW: Baker Road	5	29	20.0	Y	N	n/a	general public use
Class VI ROW: Baker Road	5	35	23.45	Y	N	n/a	general public use
Class VI ROW: Baker Road	5	37	5.7	Y	N	n/a	general public use
Class VI ROW: Baker Road	5	46	11.5	Y	Y	n/a	general public use
Class VI ROW: Baker Road	5	47	20.0	Y	N	n/a	general public use
Class VI ROW: Baker Road	5	47 A	3.8	N	N	n/a	general public use
Class VI ROW: Baker Road	5	48	12.6	Y	N	n/a	general public use
Class VI ROW: Baker Road	5	49	17.0	Y	Y	n/a	general public use
Class VI ROW: Baker Road	5	49 A	3.4	N	N	n/a	general public use

Class VI East Branch Londonderry Turnpike

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

The Class VI portion of the East Branch Londonderry Turnpike spans from the intersection with Bow Center Road and continues until the end, where it merges with Bow Bog Road.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: E Branch Londonderry Tpk	3	62 E	1.5	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	50 V	4.4	N	N	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	51 A	1.2	N	N	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	52	5.54	N	N	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	53	31.0	Y	N	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	54 A	1.1	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	54 A1	1.7	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	54 A2	4.66	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	54	18.72	Y	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	54 B	2.0	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	55	2.4	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	55 C	0.46	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	56	2.1	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	57	89	Y	N	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	59	8.5	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	59 B	2.36	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	59 C	2.6	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	60	2.4	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	61 A	31.72	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	62 A	8.42	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	62 B	22.0	Y	N	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	62 C	1.0	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	62 D	1.01	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	62 F	0.98	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	62 G	1.1	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	62 H	1.1	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	65	2.0	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	65 B	3.2	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	65 C	2.0	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	65 D12	3.21	N	Y	n/a	general public use

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

E Branch Londonderry Tpk							
Class VI ROW: E Branch Londonderry Tpk	3	66	1.0	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	70 C	1.22	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	70 D	1.22	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	80	0.63	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	81	45.28	N	N	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	81 A	0.4	N	N	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	82	4.39	N	Y	n/a	general public use
Class VI ROW: E Branch Londonderry Tpk	3	82 H	2.0	N	Y	n/a	general public use

Class VI Farringtons Corner Road

This is a Class VI Road that goes from the Bow-Hopkinton town line to the Bow-Dunbarton town line. It connects the Evergreen Drive and Essex Drive neighborhoods. It is quite level. It crosses a marsh and does not appear to be navigable most of the year. The Page's Corners State Forest abuts it on the southeast side near Essex Drive as does the Pioneer Shooting range which is in Dunbarton. It is not gated at either end.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Farringtons Corner Road	4	1	12.0	Y	N	n/a	general public use
Class VI ROW: Farringtons Corner Road	4	2	20.0	Y	N	n/a	general public use
Class VI ROW: Farringtons Corner Road	4	3	15.6	N	N	n/a	general public use
Class VI ROW: Farringtons Corner Road	4	4	1.2	N	N	n/a	general public use
Class VI ROW: Farringtons Corner Road	4	7 O	1.4	N	Y	n/a	general public use
Class VI ROW: Farringtons Corner Road	4	7 P	1.6	N	Y	n/a	general public use
Class VI ROW: Farringtons Corner Road	4	6	87.0	N	N	n/a	general public use

Class VI Giles Road

Giles Road is a small road that stretches from Tonga Drive in Bow into Dunbarton. It appears to be a driveway, and is used as one. The road is winding but well kept up. On the Bow-Dunbarton line, it is hard to tell which way the road goes due to a driveway that appears to be part of the road. The road itself is a little narrow, but it is dry and not rocky.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Giles Road	4	123A-3A	1.05	N	Y	n/a	general public use
Class VI ROW: Giles Road	4	123A-3B	2.18	N	Y	n/a	general public use
Class VI ROW: Giles Road	4	123 A4	1.28	N	Y	n/a	general public use
Class VI ROW: Giles Road	4	123 A5	1.45	N	Y	n/a	general public use
Class VI ROW: Giles Road	4	123 A6	1.47	N	N	n/a	general public use

Class VI Johnson Road

Starting at Bow Bog Road beyond the Bow Bog Meeting House, the Class VI portion of Johnson Road is gated and extends about 1 ½ miles rising gradually uphill through a pine forest bordered by stone walls. As the road continues, the trees change to hardwood and then into mixed woods. The road reaches a high point and then heads downhill over somewhat poorer conditions until it intercepts Interstate 93 with another section extending to Route 3A on the east side of I-93, part of which has grown up with trees. During the spring runoff, the trail is quite wet with areas of running water and pools to walk around, but is suitable for all non-motorized recreation. There are a couple of nice ledge areas good for picnicking near the I-93 end of the trail. More than three-quarters of the way towards I-93, there is a connecting trail through the woods to powerlines.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Johnson Road	2	81	34.0	N	Y	n/a	general public use
Class VI ROW: Johnson Road	2	84	15.0	N	N	n/a	general public use
Class VI ROW: Johnson Road	2	85	28.0	Y	N	n/a	general public use
Class VI ROW: Johnson Road	2	87	32.0	Y	N	n/a	general public use
Class VI ROW: Johnson Road	2	88	8.5	N	N	n/a	general public use
Class VI ROW: Johnson Road	2	124 A	2.0	N	Y	n/a	general public use
Class VI ROW: Johnson Road	2	124 B	5.22	N	Y	n/a	general public use
Class VI ROW: Johnson Road	2	125	6.35	N	Y	n/a	general public use
Class VI ROW: Johnson Road	2	125 A	10.0	Y	N	n/a	general public use
Class VI ROW: Johnson Road	2	125 AA	5.208	N	Y	n/a	general public use
Class VI ROW: Johnson Road	2	142	0.28	N	N	n/a	general public use
Class VI ROW: Johnson Road	2	144	31.0	Y	N	n/a	general public use
Class VI ROW: Johnson Road	2	145	15.0	Y	N	n/a	general public use

Class VI Line Road

Line Road is a small dirt road off of Woodhill Road. It ends on Montalona Road in Dunbarton, and is used as a driveway at that end. Line Road is not easy to find off of Woodhill. It appears to be a small trail at first. The road itself is not in good condition; there are large rocks in the center of the road and ruts in the ground. This is a good road for walking or biking.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Line Road	2	10 C	5.1	N	Y	n/a	general public use
Class VI ROW: Line Road	3	2 A7	4.21	N	N	n/a	general public use
Class VI ROW: Line Road	3	2 A8	5.45	N	N	n/a	general public use
Class VI ROW: Line Road	3	13	53	N	N	n/a	general public use

Class VI River Road Segment

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

This segment of road is about a ½ mile long in Bow, with a granite marker at the Bow-Hooksett town line. Half a mile into Hooksett, River Road turns into a paved and traveled residential road. It is a level scenic walk along the Merrimack River. Caution should be exercised on the eastern side, as there are washouts under certain sections. Land on the western side is currently under development for commercial uses.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: River Road Segment	2	149	2.24	N	N	n/a	general public use
Class VI ROW: River Road Segment	2	151	12.12	N	N	n/a	general public use

Class VI West Branch Londonderry Turnpike Segment

In 1971, the 1.3 mile ell-shaped section was reclassified to a Class VI Road, traveling uphill from Page Road to White Rock Hill Road. It is paved at its Page Road end and has a few houses on it. It is quite rough but is used by off-road vehicles. The Walker Lot, a 207-acre town forest, abuts it to the southwest, about a ½ mile from Page Road. The Walker Lot would allow access to the turnpike from Hampshire Hills Drive and VanGer Drive. There is also a small network of private trails on the north side of the road. Beaver activity occasionally floods parts of this road. It is not gated at either end. In 1975, part of the road was designated as scenic. The scenic portion encompasses the Class VI span, and continues to the west past the Walker Town Forest.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: W Branch Londonderry Tpk	4	82	2.3	N	Y	n/a	general public use
Class VI ROW: W Branch Londonderry Tpk	4	81	12.0	Y	Y	n/a	general public use
Class VI ROW: W Branch Londonderry Tpk	4	80	1.2	N	Y	n/a	general public use
Class VI ROW: W Branch Londonderry Tpk	4	80 A	0.5	N	Y	n/a	general public use
Class VI ROW: W Branch Londonderry Tpk	4	81 C	2.24	N	Y	n/a	general public use
Class VI ROW: W Branch Londonderry Tpk	3	96 C	0.41	N	N	n/a	general public use

Class VI Woodhill Hooksett Road

This road begins as a paved residential road and but becomes a dirt road. It starts off of Bow Bog Road and ends on Allen Road. As a road that floods in the spring and at times during heavy rainfall, it is not always passable. The center section is rough but passable by car. The only spot that a car could not get through is a stream bed that is completely lined by sharp boulders and rocks. When Woodhill-Hooksett Road joins Allen Road, it is a well-packed dirt road with some houses off of it.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Woodhill Hooksett Rd	2	48	42.9	Y	Y	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	48 B	5.04	N	N	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	49	6.97	N	N	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	49 B	2.51	N	Y	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	52	3.4	N	Y	n/a	general public use

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

Class VI ROW: Woodhill Hooksett Rd	2	53 F	5.5	N	Y	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	44	126.0	Y	N	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	45	124.0	N	Y	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	47	20.84	N	N	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	47 A	2.0	N	Y	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	47 B	2.12	N	Y	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	47 C	3.3	N	Y	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	48 A	1.0	N	Y	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	55	2.5	N	Y	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	55 A	2.45	N	Y	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	56	28.0	N	N	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	57	6.84	N	N	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	58	61.0	Y	N	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	60	29.0	Y	N	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	61	3.2	Y	N	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	62	16.0	N	N	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	63 B	2.8	N	N	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	53	2.9	N	Y	n/a	general public use
Class VI ROW: Woodhill Hooksett Rd	2	54	2.0	N	Y	n/a	general public use

Class VI Valley Road

Valley Road is ¼ mile long beginning off of South Street. It is the start of the paved bike path along I-93 and I-89.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Valley Road	1	49	0.31	N	Y	n/a	general public use
Class VI ROW: Valley Road	1	90	0.56	N	N	n/a	general public use
Class VI ROW: Valley Road	1	91	0.45	N	Y	n/a	general public use

Scenic, Discontinued, and Abandoned Roads

Other types of roads also can provide a pleasant recreational experience. Scenic roads are those which have been officially designated as such at Town Meeting. Typically, clearing or development-type activities along the sides of scenic roads are limited in the zoning ordinance, such as not allowing the removal of stone walls, or specifying how many trees can be cut in any given section. Fully discontinued roads are roads that were voted at Town Meeting to revert to the abutting landowners, in effect becoming private roads. These are the roads that we will focus on in this Plan. A different category of discontinued roads exist, where the road is voted at Town Meeting as "discontinued subject to gates and bars", essentially becoming a Class VI road to which the public still has access. Since the road is Class VI, this type of road was addressed in the previous section and will not be discussed here. Abandoned roads are those that have fallen into disuse and have not been maintained, becoming Class VI by default. Technically, they are Town-owned, which means that the public has the right to pass, but because they have lain dormant for so long, abutting landowners should be asked permission before the abandoned road is used for recreational purposes or otherwise. It is unknown as of the writing of this Plan whether Bow has any abandoned roads.

The following is a partial list of those roads the Trails Steering Committee thought were scenic and discontinued. No abandoned roads were identified. Most of the information came from a listing in Town Hall. It is important to note that of the two different types of roads in this section, only scenic roads allow true public access. For consideration of an open space trail network, scenic, discontinued, and abandoned roads have the potential to serve as linkages. The Trails Steering Committee is inventorying the assets of the Town to the best of their ability and strongly recommends that further research be conducted into the statuses of all of the roads listed below. Where there is any question as to usage, abutting landowners should be contacted for permission.

Putney Road- Scenic Road

Putney Road is one of the older roads in Bow, winding downhill from the top of Brown Hill and eventually joining Robert Rogers Road in Dunbarton. The mile-long section in Bow has been designated a scenic road to protect the old stone walls and sugar maples that run along side the road. There are several old farmhouses, but the majority of the area is new residential. The road is very narrow and paved. There are several dangerous blind corners and the shoulders are high, leaving no place for safe pedestrian or other non-motorized traffic. It is not recommended that this scenic road be incorporated into any trail design.

West Branch Londonderry Turnpike- Scenic Road

In 1975, part of the West Branch Londonderry Turnpike was designated as scenic. The scenic portion encompasses the Class VI span of the road, and continues to the west past the Walker Town Forest.

Woodhill Hooksett Road - Scenic Road

The 2.6 mile section of Woodhill Hooksett Road stemming between Allen Road and Bow Bog Road was designated as scenic around 1971.

Baker Road Segment - Discontinued Road

In 1950, the segment of Baker Road from 3A to the highway was discontinued and transferred to the abutters as a private roadway. Baker Road east of I-93 is ¼ mile long and is accessible from Route 3A between River Road and Vaughn Road. It is paved and gated, opened to the public daylight hours from

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

May first to November first. It is a steep hill with small open fields and wooded areas. The second Baker Road segment, on the west side of the highway, seems to remain a Class VI road but further research would need to be undertaken for certainty.

Hop Kiln Road - Discontinued Road

The discontinued segment is the unpaved section beginning at the turnaround near Putney Road to the intersection with Brown Hill Road. This 1/4 mile long road was discontinued in 1973.

Johnson Road Segment - Discontinued Road

In 1935, the segment of Johnson Road between Route 3A and I-93 was discontinued and reverted back to the owners of the parcel which the road crossed. East of Route 3A, the road continues as Class V Johnson Road and west of I-93, the road continues as Class VI Old Johnson Road.

Old Albin Road - Discontinued Road

This road follows a generally north-to-south course from a point between 18 and 20 Albin Road to its other end on Logging Hill Road. Presently this end is contiguous with a secondary driveway for the house at 18 Albin Road. The total distance covered by Old Albin Road is about 1.7 miles. From either direction the road ascends about 350 feet in elevation to a height of land and a flat plateau top. The track is cleared of brush and rocks and would be passable all the way through in the dry season by 4x4. The length is wooded with mostly oak, maple, and beech. The plateau is largely a wet area with some dominant cattails and sedges.

Vaughn Road - Discontinued Road

The section of Vaughn Road from Robinson Road to I-93 is thought to be discontinued, but further research should be conducted. A Class V section of Vaughn Road can be found east of I-93 to Route 3A.

West Branch Londonderry Turnpike Segment- Discontinued Road

This is an abandoned road that runs from the Hooksett Turnpike near Hidden Forest Drive, across the ends of Rollins Road and Pine Crest Drive. It used to go through to Page Road but is currently obstructed by brush and a stream. The trail is level and passes by two beaver ponds. It is very pleasant and a great place to see otters, beavers, ducks, herons, and turtles. It is gated at the Hooksett Turnpike end.

Utility Corridor Easements

Utility easements are granted by private property owners to allow the placement of transmission lines across their property and access for maintenance of those lines. The easements are recorded in the Registry of Deeds. Individuals are currently using some of these utility corridors for recreation, but landowner permission may not have been granted for such use by private citizens. Landowner permission should be obtained before any recreational users

take advantage of these corridors (see Message from PSNH in **APPENDIX C**). Utility easements are listed in this Plan because of their natural tendency, with wide, clear, and long avenues of travel, to become trails. The Bow Pioneers have obtained written permission from the landowners and from PSNH to utilize several powerline corridors for winter snowmobile use.

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

Although utility easements are considered rights-of-way, the right-of-way has not been granted to the public unlike other types of rights-of-way. The utility line corridors within Bow were split into segments for ease of examination and description.

Public Service of NH Powerline Easement Corridor – Cilley State Forest to Hooksett Town Line

1

This powerline corridor begins in Cilley State Forest at the Concord line and travels south to the Hooksett border. In Cilley State forest, the powerlines pass through some wetland areas, though the areas are sometimes wetter than others. It travels in a fairly straight line towards Hooksett, passing through the Knox Road Town Forest, the Robinson Road Town Forest, the Bow Bog Town Forest, and the Nottingcook Forest. North of the Nottingcook Forest, it intersects a triple-wide powerline corridor.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
PSNH Easement: Cilley SF to Hooksett TL	1	23B	2.0	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	1	88	6.3	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	1	115	0	---	---	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	1	157	2.1	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	1	158	4.2	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	1	160	2.8	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	1	160	2.3	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	1	161	3.9	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	2	43 B	78.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	2	43 C	126.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	2	63 A	25.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	2	64 B1A	2.9	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	2	66 A	89.72	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	2	69	144.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	2	70	109.72	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	2	121	98.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	3	133 L	130	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	3	145 G	2.92	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	5	H72 K	2.88	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	5	H72 L	1.06	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	5	67 A1	2.59	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	5	67 A13	3.67	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	5	67 A23	5.3	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	5	67 A3	2.89	N	Y	PSNH	none - utility maintenance only

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

PSNH Easement: Cilley SF to Hooksett TL	5	67 A9	3.46	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	5	69 H	1.03	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	5	69 I	1.01	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	5	69 S	1.13	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Cilley SF to Hooksett TL	5	72 I	1.2	N	Y	PSNH	none - utility maintenance only

Public Service of NH Powerline Easement Corridor – Merrimack River to Woodhill Hooksett Road

2

From its start at the Merrimack River to ¼ mile south, this powerline corridor is triple-wide, however after a ¼ mile it becomes single-wide. It crosses over some hilly areas and south of the Class VI portion of East Branch Londonderry Turnpike, the corridor crosses several streams. It merges with another powerline corridor north of Woodhill Hooksett Road.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
PSNH Easement: Merr Riv to Woodhill Hooksett	2	53 E1	2.48	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	2	53 E7	1.08	N	N	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	3	46	72.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	3	46 B	6.0	N	N	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	3	47	15.14	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	3	47 G	22.84	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	3	57	89.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	3	59	8.5	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	3	133 E	12.2	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	3	133 L	130.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	3	133 N	99.0	N	N	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	5	3	19.0	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	5	44	13.1	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	5	45 F	18.3	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	5	45 G	3.66	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	5	57 A	3.4	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	5	59	55.0	N	N	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	5	62 A	1.0	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	5	74 -7	2.46	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	5	74 -3	2.37	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	5	73	71.0	Y	Y	PSNH	none - utility maintenance only
PSNH Easement:	5	143 J	5.12	N	Y	PSNH	none - utility

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

Merr Riv to Woodhill Hooksett							maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	5	143 U	2.25	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	5	143 V	2.43	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	5	143 W	2.04	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Merr Riv to Woodhill Hooksett	5	143 X	2.0	N	Y	PSNH	none - utility maintenance only

3

Public Service of NH Powerline Easement Corridor – River Road to Garvins Falls Road

Following the along the shore of the Merrimack River in a northwest direction, this powerline corridor is double wide and about 3 miles in length.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
PSNH Easement: River Rd to Garvins Falls Rd	5	3	19.0	N	Y	PSNH	none - utility maintenance only
PSNH Easement: River Rd to Garvins Falls Rd	5	4	7.66	N	N	PSNH	none - utility maintenance only
PSNH Easement: River Rd to Garvins Falls Rd	5	5 A	3.56	N	N	PSNH	none - utility maintenance only
PSNH Easement: River Rd to Garvins Falls Rd	5	5 B1	4.97	N	Y	PSNH	none - utility maintenance only
PSNH Easement: River Rd to Garvins Falls Rd	5	7	21.0	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: River Rd to Garvins Falls Rd	5	9 U	7.9	N	N	PSNH	none - utility maintenance only
PSNH Easement: River Rd to Garvins Falls Rd	5	13	9.5	Y	N	PSNH	none - utility maintenance only
PSNH Easement: River Rd to Garvins Falls Rd	5	15	23.9	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: River Rd to Garvins Falls Rd	5	16	21.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement: River Rd to Garvins Falls Rd	5	17	27.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement: River Rd to Garvins Falls Rd	5	19	34.0	N	N	PSNH	none - utility maintenance only
PSNH Easement: River Rd to Garvins Falls Rd	5	20 A	10.3	N	N	PSNH	none - utility maintenance only

Public Service of NH Powerline Easement Corridor – River Road to Dunbarton Town Line

Beginning at a point north of River Road, this quadruple-wide powerline corridor travels in a southwesterly direction. Close to its origin, it crosses some small bodies of water and hilly terrain. Further south, it crosses through the Johnson Road Town Forest, where one of the powerlines branches off to the east, but the other three continue to head southwest. It crosses through Nottingcook Town Forest, and at a point just south of Colby Lane, it merges with another corridor but remains triple wide, and continues toward Dunbarton.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
PSNH Easement: River Road to Dunb TL	2	8 F	23.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	9	93.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	13 A	5.0	N	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	48	42.9	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	48 B	5.04	N	N	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	51	76.0	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	53 C	19.42	N	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	53 E	32.0	N	N	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	53 E2	5.37	N	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	53 E28	3.61	N	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	53 F	5.5	N	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	53 F	5.5	N	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	70	109.72	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	70 B	3.2	N	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	73 B	13.44	N	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	124	5.2	N	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	125	6.35	N	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	125 A	10.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	125 AA	5.208	N	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	144	31.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	145	15.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	200	211.0	N	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	200 B	141.0	N	Y	PSNH	none - utility maintenance only
PSNH Easement: River Road to Dunb TL	2	200 C	13.8	N	N	PSNH	none - utility maintenance only

Public Service of NH Powerline Easement Corridor – Old Johnson Road to Hooksett Town Line

INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY


Branches off quadruple-wide corridor in the Johnson Road Town Forest and travels south to the Hooksett Town Line over gentle terrain.


Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
PSNH Easement: Old Johnsn Rd to Hooksett TL	2	42 A	5.2	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Old Johnsn Rd to Hooksett TL	2	134 E	27.41	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Old Johnsn Rd to Hooksett TL	2	138	19.0	N	N	PSNH	none - utility maintenance only



III. INVENTORY OF EXISTING TRAILS

Two types of trails are being identified for this Plan: non-motorized and non-wheeled motorized vehicles. The trails listed in this chapter are being separated into one of these two groups for functional as well as organizational purposes. The majority of trails in Bow occur on either Town-owned land or on private land where permission has been obtained by Bow Pioneers for winter snowmobile use. Wheeled motorized vehicles are prohibited on Town land except in accordance with the Americans with Disabilities Act of 1990. Techniques for talking with landowners and establishing trails, both non-motorized and motorized, are listed in the **IMPLEMENTATION MEASURES** chapter.

The important limitation of the GPS within this Plan is its inability to correlate with the tax maps (see **Methodology** in the **INTRODUCTION**). Therefore, those trails indicated in the Plan with  may or may not have the appropriate parcels listed. Additional field checking should be

The trails identified in this  section are referenced by a circled number that correlates to the **Existing Trail System Map** found at the back of this Plan. A summary chart entitled **Summary of Existing Trails and Rights-of-Way** is found at the end of this chapter. This chart is meant to provide, at a glance, the Public Uses for each trail and if each landowner has granted permission for using the trail on his or her property.

NON-MOTORIZED TRAILS

Non-motorized trails are those which are designed for pedestrian, cycling, or equestrian use during the warm months as well as cross-country skiing, snowshoeing, and dog-sledding during the winter. Many of the Town Forests allow non-motorized recreational use.

Future editions of this Plan may include additional non-motorized trails. In preparation for this, a Public Uses column will note the restrictions of trails by the landowners. Note that some of the trails listed in the non-motorized section may be private trails where landowner permission has not been acquired for public use of these trails. They will be listed in the Plan with the intent to attempt, in the future, to acquire landowner permission for use of these trails.

Non-Motorized Winter Trail Uses:
cross-country skiing
snowshoeing
dog-sledding
horse driving (carriage / sled)

Non-Motorized Summer Trail Uses:
walking / hiking
mountain biking
horseback riding
roller-blading / skateboarding -
(where permitted by

Public Trails: School Forest and Knox Road Lots

The trail is located in a hilly area beginning near the Bow Town Pond near Bow Center Road. It travels south from one of the Knox Road Lots into the School Forest, then heads east until a point almost at the property line. At that point it heads north, and branches off into 2 trails, one of which heads to Knox Road and the other which crosses through a powerline corridor and towards the recreational easement on the east of the Knox Road Lot.

The Bow Conservation Commission and Bow Open Spaces received a grant in the spring of 2000 through the NH Department of Resources and Economic Development's Recreational Trails Program. The monies from this grant will be used to mark and map a series of existing trails in the Knox Road and School Forests for pedestrian use. There will be trailheads at the Community Building and on Knox Road. Work is expected to be completed by June 30, 2002.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Public Trail: School Forest and Knox Rd Lot	3	149	105.0	n/a	n/a	School District	subject to Town restrictions
Public Trail: School Forest and Knox Rd Lot	3	138	318	n/a	n/a	BOS	subject to Town / BOS restrictions

7

Public Trails: Heritage Trail Segments

The Heritage Trail, in Bow, follows along the bike path off of I-93/89, travels down Class VI Valley Road, and turns onto Grandview Road. It then skips over to Garvins Falls Road, down Old Ferry Road to River Road, and continues to the Class VI portion of River Road to the Hooksett town line. Because the trail is not marked as the Heritage Trail, it is also discussed as a proposed trail in the **Recommendations of the Railroad/Merrimack River Corridor**. Although individual parcels are not listed here, only the segments of the Heritage Trail which follow along the public roadways and bike path are open to public use.

8

Public Trails: Bow Bog and Robinson Road/ I-93 Lots

The Bow Bog Brook and two of its tributaries run through it, and beaver dams along the brook have created several beaver ponds. Recreational use of this town forest is quite heavy, but there is little public parking. The trail begins in the north of the Robinson Road/ I-93 lot off of Robinson Road and travels southeast parallel to I-93. After almost a mile, the trail turns southwest and connects to Briarwood Drive. A shorter trail branches off to the north, to the wetlands in the Robinson Road/ I-93 lot. The trail continues south of Briarwood Drive along the western border of the Bow Bog Lot, crosses a brook, and continues to Old Johnson Road.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Public Trails: Bow Bog/ Robinson Rd Lots	2	97	250.0	n/a	n/a	Cons Comm	subject to Town restrictions
Public Trails: Bow Bog/ Robinson Rd Lots	2	119	52.0	n/a	n/a	Cons Comm	subject to Town restrictions
Public Trails: Bow Bog/ Robinson Rd Lots	2	77	6.0	n/a	n/a	Cons Comm	subject to Town restrictions
Public Trails: Bow Bog/ Robinson Rd Lots	2	78	7.6	n/a	n/a	Cons Comm	subject to Town restrictions
Public Trails: Bow Bog/ Robinson Rd Lots	2	82	128.0	n/a	n/a	Cons Comm	subject to Town restrictions
Public Trails: Bow Bog/ Robinson Rd Lots	2	83	11.1	n/a	n/a	Cons Comm	subject to Town restrictions

INVENTORY OF EXISTING TRAILS

Public Trails: Bike Path Along I-89/I-93

9

The paved bike trail begins on Class VI Valley Road in Bow and continues north over gentle terrain, parallel to Hall Street, to the Concord border. The bike path, maintained by the NH DOT, is a section of the Heritage Trail through Bow.

Public Trails: Page Road Lot

10

This trail leads from Page Road, through the Page Road Town Forest, to the recreational easement that abuts the Page Road Town Forest. The lot features gentle to steep slope conditions throughout.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Public Trail: Page Road Lot	4	56	56.3	n/a	n/a	Cons Comm	subject to Town restrictions

Public Trails: Bela Brook Lot

11

Starts at Clinton Street and heads into the Town Forest towards Dunbarton. It branches off in two directions, both crossing into Dunbarton. The terrain is fairly flat, but begins to elevate towards the Dunbarton Town Line. Beaver activity in the area has raised the water table, creating marshy spots.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Public Trail: Bela Brook Lot	4	26	76.1	n/a	n/a	Cons Comm	subject to Town restrictions
Public Trail: Bela Brook Lot	4	27	15.0	n/a	n/a	Cons Comm	subject to Town restrictions

Public Trail: Town Ball Field Perimeter

12

This trail is located in the Richard Hanson Memorial Recreation Area. It travels over gentle terrain around the perimeter of the ballfields off of Albin Road. In all, the trail covers approximately 0.75 miles.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Public Trail: Ball Field Perimeter	4	77	150	n/a	n/a	Cons Comm	subject to Town restrictions

Public Trails: Town Forest off of Robinson Road

13

The Robinson Road lot is located on the southeast side of Robinson Road. The trail begins at the powerline corridor that runs through the Town Forest and travels southwest across the lot. The trail branches off and there is access to Robinson Road near the northwest corner of the lot.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Public Trail: Robinson Road Lot	2	122	21.7	n/a	n/a	Cons Comm	subject to Town restrictions

14

Public Trail: Walker Town Forest

This trail is an old hiking trail found in the western part of this forest, but the Birchdale Hills development has impeded its use. The steep terrain in this town forest will limit use to pedestrian only. The trail starts off of West Branch Londonderry Turnpike and travels west for about 2000 feet.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Public Trail: Walker Town Forest	4	116	79.0	n/a	n/a	Town / BOS	subject to Town / BOS restrictions
Public Trail: Walker Town Forest	4	118	20.0	n/a	n/a	Town / BOS	subject to Town / BOS restrictions
Public Trail: Walker Town Forest	4	119	8.0	n/a	n/a	Town / BOS	subject to Town / BOS restrictions
Public Trail: Walker Town Forest	4	120	40.0	n/a	n/a	Town / BOS	subject to Town / BOS restrictions
Public Trail: Walker Town Forest	4	121	40.0	n/a	n/a	Town / BOS	subject to Town / BOS restrictions

15

Public Trails: Nottingcook Forest

One trail commonly used by snowmobiles in the winter starts off of Allen Road into the forest for just over half a mile, crossing a powerline corridor. It continues in a southeast direction, crossing a brook, and connecting onto Woodhill Hooksett Road. The trail crosses Woodhill Hooksett Road, continues southeast and turns southwest at a sharp right angle, and stops at the forest boundary. This trail travels over gentle terrain. There is also a shorter trail (½ mile) through the forest that begins off of Woodhill Hooksett Road on the south, over steep terrain. Both of these trails have been located via GPS. Other woods roads are also found which create loops off of the main snowmobile trail.

Name	Block #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Public Trail: Nottingcook Forest	2	43 B	78.08	Y	N	private	contact owner
Public Trail: Nottingcook Forest	2	43 C	68.0	n/a	n/a	Town / BOS	subject to Town / BOS restrictions
Public Trail: Nottingcook Forest	2	44	126.0	n/a	n/a	Town / BOS	subject to Town / BOS restrictions
Public Trail: Nottingcook Forest	2	45	124.0	n/a	n/a	Town / BOS	subject to Town / BOS restrictions
Public Trail: Nottingcook Forest	2	53 E	32.0	n/a	n/a	Town / BOS	subject to Town / BOS restrictions
Public Trail: Nottingcook Forest	2	63	95.0	n/a	n/a	Town / BOS	subject to Town / BOS restrictions
Public Trail: Nottingcook Forest	2	63 A	25.0	n/a	n/a	Town / BOS	subject to Town / BOS restrictions
Public Trail: Nottingcook Forest	2	69	144.0	n/a	n/a	Town / BOS	subject to Town / BOS restrictions
Public Trail: Nottingcook Forest	2	73 B	13.44	n/a	n/a	Town / BOS	subject to Town / BOS restrictions

NON-WHEELED MOTORIZED VEHICLE TRAILS

Within Bow, wheeled motorized vehicles are prohibited on Town land. The exception to this ordinance is accommodation for persons with disabilities in compliance with the Americans with Disabilities Act of 1990. An extensive snowmobile network spanning the northern to southern end of the Town exists and is inventoried in the Plan. It is unknown whether private landowners allow other types of motorized vehicle usage on their property; therefore, only snowmobile trails are discussed here.

Bow Pioneers Snowmobile Club

All of the legal motorized vehicle trails within Town are for winter snowmobiling use only except where posted otherwise by private property owners. These trails are snowmobile trails organized and maintained by the Bow Pioneers. Permission has been obtained from all 200+ landowners for winter snowmobile usage only, as long as there is 6" or more of snow cover.

The snowmobile network in Bow has been in existence since 1968. The Pioneers have done extensive trails work within the Town. Members contacted landowners about allowing access to their property and obtained the necessary agreements, constructed the trails with volunteer labor, and maintain the trails during the summer and winter months. The Pioneers are a sizable group of individuals who continue to work on recruiting new volunteers to help with the maintenance and signage of the trails. In order to protect the interests and agreements of both the Bow Pioneers and the private landowners that have allowed snowmobile access, individuals must not use these trails during the summer without explicit landowner permission. In addition, because the Pioneers work hard to create and maintain the trails, cooperation with the club is highly encouraged before any use of the trails, other than winter snowmobile use, is undertaken.

Unfortunately, unauthorized summer motorized vehicle use of the trails can tear up portions of the maintained trails. Private property owners who have not given permission for motorized uses in the summer can close the improperly used trails to the public, thus terminating an essential link to the Pioneers' trail system that they have worked hard to develop. Private landowners are encouraged to post their property for the uses they allow. Respect should be given to the agreements forged between private landowners and the Bow Pioneers, and to the posted uses of each individual property.

Snowmobile Trail Network in Bow

The network consists both of state and local trails. From Concord, state corridor trail 11 follows down along Turee Pond south to the powerline corridor, looping around Robinson Road/I-93 lot, then connecting back to the same powerline corridor and entering into Dunbarton south of Woodhill Road. State corridor trails 371 and 372 make connections within the geographic center of Bow to corridor trail 11. In addition, several local trails greatly add to the snowmobiling travel options, bringing the total length of snowmobile trails within Bow to around 60 miles.

SUMMARY OF EXISTING TRAILS AND RIGHTS-OF-WAY

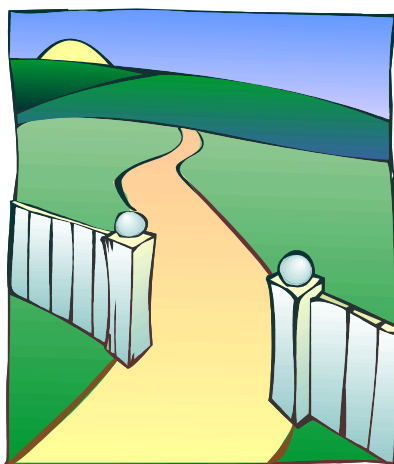
This graphical summary provides a snapshot of this chapter and can be used as a guide to the **Existing Trail System Map**. The Management column indicates who has taken responsibility for the maintenance and/or security of the trail or right-of-way. This summary chart does not endorse the use of any of the listed trails or rights-of-way; instead it is a compilation of the known trails within Town that may be conducive to public use with proper landowner permission (see Landowner Permission Obtained column). Careful consideration should be given as to whether or not a landowner has given permission for use of their land before attempting to use a trail.

Existing Trails and Rights-of-Way (ROW)

Name	Map Symbol	Public Uses	Management	Landowner Permission Obtained
Class VI ROW: Baker Road		general public use	n/a	no
Class VI ROW: East Branch Londonderry Turnpike		general public use	n/a	no
Class VI ROW: Farringtons Corner Road		general public use	n/a	no
Class VI ROW: Giles Road		general public use	n/a	no
Class VI ROW: Johnson Road		general public use	n/a	no
Class VI ROW: Line Road		general public use	n/a	no
Class VI ROW: River Road Segment		general public use	n/a	no
Class VI ROW: West Branch Londonderry Turnpike		general public use	n/a	no
Class VI ROW: Woodhill Hooksett Road		general public use	n/a	no
Class VI ROW: Valley Road		general public use	n/a	no
Scenic Road: Putney Road		general public use	Town of Bow	n/a
Scenic Road: West Branch Londonderry Turnpike		general public use	Town of Bow	n/a
Scenic Road: Woodhill Hooksett Road		general public use	Town of Bow	n/a
Discontinued Road: Baker Road		none	private	no
Discontinued Road: Hop Kiln Road		none	private	no
Discontinued Road:		none	private	no

INVENTORY OF EXISTING TRAILS

Johnson Road				
Discontinued Road: Old Albin Road		none	private	no
Discontinued Road: Vaughn Road		none	private	no
Discontinued Road: West Branch Londonderry Turnpike Segment		none	private	no
PSNH Easement Corridor: Cilley State Forest to Hooksett Town Line	1	none - utility maintenance only	PSNH	no
PSNH Easement Corridor: Merrimack River to Woodhill Hooksett Road	2	none - utility maintenance only	PSNH	no
PSNH Easement Corridor: River Road to Garvins Falls Road	3	none - utility maintenance only	PSNH	no
PSNH Easement Corridor: River Road to Dunbarton Town Line	4	none - utility maintenance only	PSNH	no
PSNH Easement Corridor: Old Johnson Road to Hooksett Town Line	5	none - utility maintenance only	PSNH	no
Public Trails: School Forest and Knox Road Lots	6	general public use	Town of Bow	n/a
Public Trails: Heritage Trail Segments	7	general public use	Town of Bow	n/a
Public Trails: Bow Bog and Robinson Road/ I-93 Lots	8	general public use	Town of Bow	n/a
Public Trail: Bike Path Along I-89/ I-93	9	general public use	Town of Bow	n/a
Public Trails: Page Road Lot	10	general public use	Town of Bow	n/a
Public Trails: Bela Brook Lot	11	general public use	Town of Bow	n/a
Public Trail: Town Ballfield Perimeter	12	general public use	Town of Bow	n/a
Public Trails: Town Forest off of Robinson Road	13	general public use	Town of Bow	n/a
Public Trails: Walker Town Forest	14	general public use	Town of Bow	n/a
Public Trails: Nottingcook Forest	15	general public use	Town of Bow	n/a
Snowmobile Trail Network in Bow	16	winter use only	Bow Pioneers (maintenance)	yes - winter use only



IV. PROPOSED OPEN SPACE TRAIL SYSTEM

An examination of the existing trail system has led to a variety of trail types and permitted uses of the trails/rights-of-way. Trails are found on both private land and public land. The Town has an unprecedented opportunity to work with the creator and maintainer of the existing snowmobile trails, the Bow Pioneers, as well as the opportunity to work with representatives of Cilley and Page's Corner State Forests to tie into existing trail networks. The comprehensive Forest Management Plan of the Town affords additional potential trails through its existing logging and skidder roads.

Class VI roads could be considered "pre-existing" trails in a sense and can help form the foundation of an open space trail system. A next step could be to designate an existing trail or right-of-way (such as a Class VI Road) as Class A or B, through a vote of Town Meeting. Although this would officially recognize a trail and gives certain benefits, a designation reduces or eliminates some rights of abutters, and permanently removes the Class VI status of an existing road. See the **IMPLEMENTATION MEASURES** chapter for more information.

The **Proposed Open Space Trail System Map** gives a visual representation of where current trails lie as well as proposed linkages to the existing trails. Five specific new trails or linkages to existing trails have been recommended. It is imperative that respect and privacy be given to private landowners and that a cooperative relationship is established between the Town and these landowners. The circled numbers on the map denote existing trails, while the squared letters indicate proposed trail linkages. Cooperative relationships with the landowners of all these parcels should be fostered in order to reach the objectives of this Plan.

The **Potential Trail Locations or Connections** chart, at the end of this chapter, shows at a glance the new trails recommended in this section. Although specific **Recommendations** are later identified at the end of the following sections, the **General Recommendations** are designed to be among the first considered for action by the Town.

This Section:

- γ Railroad/Merrimack River Corridor
- γ Powerline Corridors
- γ Conservation and Public Land
- γ Class VI Roads
- γ Scenic, Abandoned, and Discontinued Roads
- γ Snowmobile Trails
- γ Potential Trails or Trail Linkages on Private Land
- γ Summary of Proposed

General Recommendations of the Open Space Trail System Plan

- General Recommendation: Establish a permanent Trails Committee, comprised of various interests within Town, in order to oversee the maintenance of any trails that the Town wants to establish and to begin initiating contact with landowners of existing and proposed trails.
- General Recommendation: Adopt this Open Space Trail System Plan as a sub-element of the updated Master Plan.
- General Recommendation: Continue to encourage maintenance of existing public trails by creating educational programs and providing support for interested individuals and families.
- General Recommendation: Work with the Bow Pioneers to learn how to approach landowners and to enter into a cooperative trail creation and maintenance relationship.
- General Recommendation: Work with the Planning Board, Conservation Commission, Bow Open Spaces, the Town, and with private landowners to link subdivisions with Town Forests and other open areas.
- General Recommendation: Educate the landowners of parcels under current use, particularly owners of those parcels without buildings on them, of the benefits of conservation easements.
- General Recommendation: Enter into a working relationship with representatives of Cilley State Forest and Pages Corner State Forest which may provide for the linking of Town and State lands.
- General Recommendation: Pursue appropriate Town-owned parcels as permanent Town Forests or Town Parks through Town Meeting (see **APPENDIX A**).
- General Recommendation: Gain public support by holding a series of public educational sessions about land protection, stewardship, what the Conservation Commission, Trails Committee, and Bow Open Spaces do, and about this Open Space Trail System Plan. Alternatives include writing a series of news articles, writing and distributing flyers, or holding one-on-one meetings with landowners.
- General Recommendation: Pursue grant funds to help meet the Recommendations of this Plan.
- General Recommendation: Publicize the public trails within Town by publishing a brochure, creating a trail-specific map series, or by holding special events.
- General Recommendation: Review the Zoning Ordinance and Subdivision and Site Plan Review Regulations to design appropriate amendments in support of these Recommendations.
- General Recommendation: Work with the Board of Selectmen to ensure that future recreational easements included as part of new developments are properly recorded.
- General Recommendation: Designate any trail which the Town wants to promote as a "Town" trail as a Class A or Class B trail (see **IMPLEMENTATION MEASURES**).

RAILROAD / MERRIMACK RIVER CORRIDOR

Former railroad rights-of-way offer tremendous recreational potential. They are typically flat, hard-packed, straight beds, with the ties removed, that run continuously for miles. Within the Town of Bow, the Boston and Maine Railroad's legacy still has a presence along the Merrimack River. The track itself is active and often used for the transport of goods. As of the writing of this Plan, public use of and public access onto the railroad bed are not allowed for safety and liability reasons. However, since the railroad inhibits physical access to the river in most areas, the pursuit of public usage of the railroad access road should be explored.

The Merrimack River, with its slowly meandering curves and diverse wildlife, provides a variety of recreational opportunities. Fishing, lounging on sandbars, or just drifting down the River are popular pastimes. Much thought should be given to creating more safe public access areas to the Merrimack so more people can enjoy the wonderful resource that is coursing through Bow. The PSNH leases to the Town, for \$1.00, a boat ramp access to the Merrimack near the junction of Johnson and River Roads.

Although not yet identified by signage, the Heritage Trail offers a unique opportunity along the Railroad/Merrimack River Corridor to draw the public into the history of Bow. With cultural points of interest along the way, the Trail follows primarily along established roadways down the entire length of the Town from Concord to Hooksett.

Recommendations of the Railroad / Merrimack River Corridor



- Recommendation: Pursue measures that would encourage the development and public promotion of the Heritage Trail, including obtaining public access on the railroad and powerline corridors, the erection of signage, and acquiring the permission of private landowners where appropriate.
- Recommendation: Encourage Town ownership of the PSNH boat ramp and surrounding land to secure permanent public access to the Merrimack River.
- Recommendation: Seek permission from appropriate parties to use the railroad access road for public access to the Merrimack River.

POWERLINE CORRIDORS

For ease of description and examination within this Plan, the Public Service of New Hampshire (PSNH) powerline corridors were separated into five different segments. Some powerline corridors are more conducive to a potential future trail system than others. Considerations to be used in making this determination should include the number of landowners within a segment, the variation of topography, and the origin/destination of the segment.

Many miles of powerline corridors already serve as recreational winter snowmobile trails, and Bow Pioneers have secured permission from all landowners for this specific use. With the cooperation of PSNH and private landowners, non-motorized warm-weather usage could be sought where appropriate. Permission for public use of the sections of two segments that cross through the Town-owned Knox Road lot may be relatively easy to procure from PSNH. Because of all the possibilities that exist in respect to the powerline corridors, general recommendations have been stated below to guide future efforts:

Recommendations of Powerline Corridors



Recommendation: Obtain permission from appropriate parties for public, non-winter recreational uses of powerline corridors (see also **General Recommendations** and **Recommendations of Snowmobile Trails**).

Recommendation: Utilize the powerline corridors to connect the Town Forests and the existing trails network after obtaining permission from appropriate parties.

CONSERVATION AND PUBLIC LAND

The Town is fortunate to have an abundance of Town-owned land, much of which is permanently protected by conservation easement. The Bow Conservation Commission and Bow Open Spaces received a grant in the spring of 2000 through the NH Department of Resources and Economic Development's Recreational Trails Program. The monies from this grant will be used to mark and map a series of existing trails in the Knox Road and School Forests for pedestrian use. There will be trailheads at the Community Building and on Knox Road. Work is expected to be completed by June 30, 2002.

The opportunity for the education of and recreation for children and adults alike should not be missed. Bow is truly fortunate to have such well-established trails in the heart of the Town. A **General Recommendation** stated earlier was to link Cilley State Forest and Pages Corner State Forest to Town-owned lands so all can have easy access to these recreational resources. Many Town Forests are actively managed for Forestry purposes and have established woods roads or skidder trails that can be used by the public as allowed by Town ordinance. New public trails on Town Forests have also been proposed to enhance the connections. Wheeled, motorized recreational vehicles (OHRVs) are prohibited on all Town-owned land.

Recommendations of Conservation and Public Land

- 6 7 8 9 10 11 12 13 14 15 B C D E F

Recommendation:

6-15

Increase public awareness of existing recreational opportunities on Town-owned lands and public rights-of-way by erecting signs announcing the name of the property/trail, trail locations, allowed uses, and where legal parking is available.

Recommendation:

B

Create a looping bog walk trail, with a suspension bridge, on the Turee Island Lot off of Birchdale Road.

Recommendation:

C

16

Develop a new looping trail around the Page Road Town Forest, then leading to Village Shores, Bow High School, and the School Forest using, in part, the existing snowmobile trail (see also **General Recommendations** and **Recommendations of Snowmobile Trails**).

Recommendation:

D

14

Develop a trail from the Walker Forest woods road, down through the recreational easement following Brown Hill Road and onto Class VI Giles Road to the Dunbarton town line.

Recommendation:

E

15

Develop a trail in Nottingcook Forest from the woods roads trail in the eastern corner southeast to the edge of the Forest property.

Recommendation:

F

Develop a trail in Nottingcook Forest south of Woodhill Hooksett Road to facilitate potential future snowmobile trails (see also **Recommendations of Snowmobile Trails**).

Recommendation:

Investigate Cilley State Forest and its borders in Concord to determine its suitability for trails, and if appropriate, investigate the possibility of using the Grist Mill parking lot for parking and/or access.

Recommendation:

Assess Pages Corners State Forest to determine its suitability for trails.

Recommendation:

Continue to map parcels that have easements held by the Society for the Protection of NH Forests (SPNHF) and by other non-local easement holders.

Recommendation:

Erect a sign indicating the existence of the Class VI road/trail that leads from the Class VI segment of West Branch Londonderry Turnpike to Page Road.

Recommendation:

Allow parking for recreational uses adjacent to the Town Forests, and erect signage which indicates parking where is permitted.

Recommendation:

Link the Town Forests to one another by using existing trails or rights-of-way, by seeking easements, or by obtaining landowner permission for a pathway.

Recommendation:

Make the Town Forests accessible to neighborhoods by procuring rights-of-way

CLASS VI ROADS

Class VI roads are still owned by the Town, although many now appear no bigger than footpaths. Because of their limited use and Town ownership, some of these roads can be utilized by wheeled motorized recreational vehicles if the road is posted for such use, as well as for pedestrian and equestrian use.

Due to the nature of Class VI roads, they present the easiest conversion to trails; the Town owns each of the roads despite their unmaintained status and the roads already follow a course which leads to a destination. However, research needs to be conducted to ascertain if any of the Class VI roads had been voted as permanently discontinued at any past Town Meeting, in which case the road would legally no longer exist. For more information on Class VI roads, please refer to the **IMPLEMENTATION MEASURES** chapter.

Recommendations of Class VI Roads

- Recommendation: Undertake an on-foot survey of all Class VI roads within Town to gauge their ability to sustain certain types of trails usage.
- Recommendation: Identify for designation as Class A or Class B trails some of the Class VI roads within Town by working with abutting landowners (see **IMPLEMENTATION MEASURES**).
- Recommendation: Work with abutting landowners to share maintenance and monitoring duties of the trails or Class VI roads being used as trails.
- Recommendation: Conduct research to ascertain if any of the Class VI roads have been

SCENIC, ABANDONED, AND DISCONTINUED ROADS

These assets could be an integral part of Bow's open space trail network. Scenic roads are either Class V or VI and are readily accessible by the public. Roads noted in this Plan as Discontinued require further research to determine their exact status before specific recommendations are made to incorporate them into such a network.

Recommendations of Scenic, Abandoned, and Discontinued Roads

- Recommendation: Thoroughly research the status of the discontinued roads within Town.
- Recommendation: Where appropriate and after research has been conducted, use select discontinued roads within Town as linkages to other trails or public lands.
- Recommendation: Promote the Scenic Roads in town as an asset and work to incorporate them into the trails network.

SNOWMOBILE TRAILS

The wide and maintained winter snowmobile trails within Bow are an essential link to establishing summer pedestrian and equestrian recreational use. With appropriate landowner permission, warm weather usage could include hiking, mountain biking and horseback riding. Warm-weather motorbike or ATV usage is not allowed without landowner permission. In addition, many landowners choose to post their land prohibiting Off-Highway Recreational Vehicles (OHRV) on the established snowmobile trails year-round. Motorized wheeled recreational vehicle use on Town-owned land is not permitted.

These trails have been created by the volunteer labor of Bow's local snowmobile club, the Bow Pioneers, who obtained landowner permission for each portion of the trail, constructed the trails, and maintain the trails. Respect for the trail and the landowner should be given when using these trails for winter use; if landowner permission is granted for summer use, the same respect should be given.

Recommendations of Snowmobile Trails

16

- Recommendation: Work with the Bow Pioneers to approach landowners for permission to develop more winter use trails in conjunction with the existing and potential trails opportunities.
- Recommendation: Work with Bow Pioneers to incorporate some of the existing winter snowmobile trails, as appropriate, into an overall trails network for Bow (see also **General Recommendations** and **Recommendations of Conservation and Public Land**).
- Recommendation: Encourage the formation of an OHRV club, incorporated with the Attorney General's Office, and obtain appropriate landowner permission should there be interest in motorized wheeled recreational vehicle use in Bow (see also **General Recommendations**).

POTENTIAL TRAILS OR TRAIL LINKAGES ON PRIVATE LAND

No trail system would be complete without the permission of private landowners for use of their property for recreational purposes. Written agreements have been obtained by the Bow Pioneers specifically for winter snowmobile usage for all of their trails. Techniques for talking with landowners can be found in the **IMPLEMENTATION MEASURES** chapter and **Sample Landowner Agreements** are found in **APPENDIX A**.

The Trails Steering Committee felt that several opportunities to involve the landowners in Bow with such visions would prove to be beneficial to residents and visitors alike. While the primary focus on trails use in Bow would be for hiking, mountain biking, horseback riding, skiing, snowmobiling, or the like, other types of uses may also be allowed pending specific landowner permission. These alternative uses include OHRV usage on land that is not owned by the Town (see **General Recommendations** and **Recommendations of Snowmobile Trails**).

Recommendations of Potential Trails or Trail Linkages on Private Land

7 14 15 A D E F

Recommendation:

A 7

Encourage Concord and Hooksett, to the north and south of Bow, to develop their sections of the Heritage Trail (see also **Recommendations of Railroad/Merrimack River Corridor**).

Recommendation:

D 14

Develop a trail that leads from VanGer Drive to Walker Forest, using existing rights-of-way, in cooperation with abutting landowners.

Recommendation:

E 15

Create a trail linkage from the Town-owned land off of Rosewood Drive to the Nottingcook Forest with the permission of private landowners.

Recommendation:

F 15

Create a trail network from Nottingcook Forest that links up with the snowmobile trail along the powerline corridor.

SUMMARY OF PROPOSED OPEN SPACE TRAIL SYSTEM

A series of detailed **Recommendations** have been proposed in order to reach the third goal of the Plan, which is to "Provide recommendations on how to obtain the linkages and maintain a trail system". Those Recommendations work toward retaining the trail and land resources that the Town already has as well as summarizing the potential of an open space trail system by linking the existing with the proposed:

Potential Trail Locations

Name	Map Symbol	Public Uses	Management	Landowner Permission Obtained
Heritage Trail	A	to be determined	to be determined	no
Turee Pond Bog Walk Loop	B	to be determined	to be determined	no
Page Lot Road Loop and Extension into Snowmobile Network	C	to be determined	to be determined	no
Walker Forest Connections	D	to be determined	to be determined	no
Trail Connection from Nottingcook Forest Woods Roads to Forest Property Boundary	E	to be determined	to be determined	no
Snowmobile Trail Linkages from Nottingcook Forest	F	to be determined	to be determined	no

In order to make the vision a reality, practical methods will need to be employed. Property ownership is an emotional, personal issue; concerns about privacy, liability, and damages are justified.

Implementation of the **PROPOSED OPEN SPACE TRAIL SYSTEM** can be accomplished through creating good relations with people, educating landowners, and having a dedicated core of people who believe that Bow will be a better place to live and raise children if rural character is preserved.



V. IMPLEMENTATION MEASURES

After the inventorying phase and recommendation phase of a plan follows what is perhaps the most difficult and time-consuming aspect of any plan or study - implementation. All of the good ideas and worthy efforts into producing a plan will be put to the test when attempting to get the public to "buy into" what the plan is "selling".

This Open Space Trail System Plan is no different. However, the ideas presented in the Plan may be even more challenging to implement due to its reliance on the cooperation of private landowners. Each identified trail itself is host to at least 10 private property owners; when considering the proposed open space trail system as a whole, the prospect of obtaining permission from all landowners can be daunting. The challenge to remember is that all good things take time to build; creating a trail system will require patience and perseverance.

Many different factors and techniques need to be considered when building an open space trail system. In this section, practical suggestions for implementing the recommendations in the Plan are shared; also, sensitive issues such as landowner liability and trails management are discussed in order to give a holistic view of the Open Space Trail System Plan. The accompanying **APPENDIX A-C** offers sample forms and agreements as well as the specific citations from the NH Revised Statutes Annotated (RSAs) which are pertinent to the success of this Plan. In addition, Resources References are listed to help with the implementation of the Plan and to provide further guidance along the way.

*The authors, producers, editors, and reviewers of this Open Space Trail System Plan stress that although much research has gone into the production of this Plan, it would be highly difficult to cover every detail required for certain situations. Where there are any concerns to the legality of a procedure or explanation listed in the **IMPLEMENTATION MEASURES** chapter, an attorney should be consulted.*

LANDOWNER PARTNERSHIPS

The ultimate key to the success of this Plan will be the communication to, and the cooperation and education of, landowners. Identifying the landowners of the parcel of interest is only a matter of looking up the information in the public records of the Town Hall. After determining who owns a piece of land suitable for a trail or for a conservation easement, the landowner should be approached by a representative of an established group, such as a member of a permanent Trails Committee of the Town, who can answer any questions and help him or her feel comfortable with the issues that will arise. In some cases, the parcel will be owned by a public or non-profit group. Although many of the same principles listed below will pertain to a partnership with a public organization, the explanations of landowner partnerships in this Plan are more geared toward the concerns of private landowners.

The following sections cover the most frequently addressed items in conservation and recreation.

Landowner Liability

Rightfully, the first question or concern that a landowner usually has deals with the issue of liability. Although many people would be willing to open parts of their land to the public, the liability issue is one of the major stumbling blocks that prevents public use. What if they open their land for public use and an incident occurs? It is a valid question that must be answered to the landowner's satisfaction. If at any time there are concerns that the representative cannot answer satisfactorily, independent counsel can be sought through the municipality's attorney or the NH Municipal Association if the municipality has questions; if the landowner has questions, they can be answered through an examination of the NH Revised Statutes Annotated (RSAs), or by the landowner's own attorney.

The State of New Hampshire has developed incentives for those landowners whose land is already in current use (RSA 79-A:1) - an additional 20% discount in taxes can be taken if the property is opened to full public year-round recreational use (RSA

Because New Hampshire is a strong supporter of recreation and the citizens recognize the significant part it plays in the State's economy, there are several mechanisms in place to protect the landowner when he or she opens their land for public recreational use:

1. The State of New Hampshire has adopted several laws that protect a landowner from being held liable from injury. These provisions are called "Duty of Care" (RSA 212:34), where if a landowner opens the land for recreational purposes and *does not charge a fee* for such a use, they "owe no duty of care to keep such premises safe for entry or use by others". The exceptions to this law are if the landowner maliciously causes injury; fails to warn of dangerous conditions (such as the potential for walking off a hidden ledge); requires payment for the use of the property; or is party to the actions of others causing injury to a third party because of lack of warning (a recreational user [hunter] injures a non-recreational user [surveyor]). However, it is always good practice of a landowner to keep their property in relatively safe condition regardless of whether the land is open to public use.

Another statute, RSA 508:14, reinforces this language by again stating that any landowner, including municipalities and the State, "shall not be liable for personal injury or property damage in the absence of intentionally caused injury or damage" when that landowner opens up their land for "recreational purposes".

It is important to note that although the statutes are in place to protect a landowner from liability, any individual has the right to sue any other individual; therefore, protection from *being* sued is not covered under law although our current laws inhibit such a plaintiff in such a liability case from *winning* the suit. Direct citations from the NH RSAs concerning landowner liability are contained in **APPENDIX B**.

2. A homeowner's insurance policy typically carries liability insurance that should cover injuries to persons or property. Landowners should check their policy to make sure it includes liability; as open space land does not always have a dwelling unit situated upon it, liability insurance may not be automatic. If a person is injured on a landowner's property and brings suit, the landowner files a claim with his insurance company, which takes care of the matter. For additional peace of mind, umbrella insurance policies could be purchased for any injuries or damages above and beyond the amount of the homeowner's policy limitations.

3. Owners of motorized recreational vehicles pay a registration fee which goes into the Off Highway Recreational Vehicle (OHRV) fund overseen by the NH Department of Resources and Economic Development. Recognized clubs must register their trails on an annual basis and participate in the OHRV Trails Program. Then, the landowners will be covered under the State's \$2 million liability insurance policy. In addition, users of OHRV's recognize the hazards of such operation and under RSA 215-A:34, the liability protection to the landowner is re-enforced through "...each person who drives or rides an OHRV accepts, as a matter of law, the dangers inherent in the sport and shall not maintain an action against..." a landowner "...for any such injuries which result from such inherent risks, hazards, and dangers".

In reality, suits against property owners are few and far between in the context of injury or damages while recreating on private property. However, despite the safeguards to any landowner that opens his or her property up to the public for free recreational use, none of these laws protect a landowner from actually *being* sued. Steps must be undertaken to ensure that the landowners understand the liability implications before they enter into **Landowner Agreements** with or **Easement Donations** to the Town.

Landowner Agreements

This simplest type of agreement, aside from a verbal or "handshake" agreement, basically reads that the public is allowed certain types of access (hiking, skiing, motorbikes, etc) on a certain portion of the landowner's property during certain times of year. The agreement also indicates who has agreed to be responsible for the maintenance/enforcement of the property and/or the creation and maintenance/enforcement of the trail (usually the public Trails Committee, municipality designee, or other organization), and specifies for how long the agreement is valid (one summer, 2 years, 5 years, etc). An agreement such as this allows the landowner to consider the possibilities of a long-term partnership but withholds the commitment.

The decision of a landowner to open their land to the public is not one to be lightly made. There are several ways to make the decision "official", ranging from a temporary arrangement to one that is made in perpetuity. The easiest and most temporary agreement can be referred to as a "Landowner

Easement Donation and Purchase

If a landowner is keenly sensitive to conservation, they may decide that a conservation easement on their land will be in the best interests of themselves, their heirs, the land, the resources on the land, their Town, and perhaps for benefit of New Hampshire. Although land is regularly transferred from one owner to another, an easement is a way to permanently place certain restrictions on the current and future use of that land.

Consider how a parcel of land would fit into the framework of Bow's open space trail system. Would it serve as conservation land, a park, or would a trail cross over it? Should someone from the Trails Committee talk to the landowner about an agreement or an easement?

Conservation easement research, development, negotiation, and acquisition can almost be considered a science by its own right!

Many expert non-profit organizations exist to protect land permanently from development; one of the tools they use is a conservation easement. Easements can be donated to a municipality or land trust, or easements can be purchased by the municipality or land trust. They are monitored by the recipient to ensure that the conditions of the easement are being upheld.

Aside from the priceless conservation of open space and natural features, a significant benefit to the landowner can be the federal, state, and local tax savings that may be recognized. One advantage to the Town could result through the potential of opening some or all of the easement for public use; other advantages include less development pressure, and contiguous open space preservation blocks. Although each easement is tailored to the preferences of the landowner and the features of the land, the **APPENDIX A** contains a sample conservation easement of Bow Open Spaces, Inc.

An easement responsibility is not one to be taken lightly. Not only will the property, which will remain in private hands, need to be monitored by the Town or their designee (typically the Conservation Commission) on at least a yearly basis, but also the process involved to obtain an easement donation or purchase is lengthy and can be complicated. Attorneys are frequently involved and are often recommended, particularly to help the property owner with tax implications and to ensure the safeguarding of their clients' interests. Although a landowner can be approached by the representative of the Trails Committee to talk about the advantages of a conservation easement on their property, many municipalities may wish to engage the services of a third party to help guide them through the process. For more information on obtaining and monitoring conservation easements, please refer to Bow Open Spaces or to another land trust within New Hampshire. Most local land trusts are listed in **APPENDIX C**.

Land Donation and Purchase

This option can be considered one of the easiest if looked at in terms of a municipality's land holdings. Parcels that have been taken for nonpayment of taxes, particularly those of several acres or more, can provide a solid means of recreational land (RSA 80:80, V). An important aspect to keep in mind is that since the Town can sell the property at any time, an easement should be placed on those properties which have special features so that they remain protected or that the trails remain available for public use. In addition, the Town has the right to use its property in the manner it sees fit; therefore if a parcel is more conducive to remaining in its natural state, an easement can be placed on it to ensure it remains that way in the event that it is targeted as a potential site for a town building or ball field. **APPENDIX A** contains a warrant article which permanently protects Town-owned land.

Private landowners can be approached to ask for a donation of land of particular significance (i.e., it would form a connection to a trail or it would protect a significant resource). Be prepared to explain the advantages and benefits for the donation of an easement as well as the responsibilities that it will entail. Easements can also be purchased and have their own associated benefits. Private land trusts, listed in **APPENDIX C**, offer guidance and helpful informational bulletins to assist in the acquisition of easements. In addition, municipalities can purchase any such parcel of land as it became available. For both land or easement purchase, the implementation of a municipal land use change tax fund (RSA 79-A:25-a) can ease the burden of an outright expenditure (**APPENDIX A**). RSA 36-A:5 allows a duly established Conservation Commission to independently purchase land or easements, after having establishing a conservation fund, without consultation with the governing body.

Bow Open Spaces holds easements on many Town-owned properties and would be an excellent resource to consult for protocol and procedures. They have experience with talking with landowners and with the options available for conservation.

OFFICIAL TRAILS DESIGNATION

Many references have been made throughout the Plan to trails designation, or Class A and B trails. New Hampshire State law allows municipalities to designate paths, rights-of-way, Class VI roads, or trails as "official trails" of the Town. One advantage to doing so is that each trail becomes a legally enforceable route by the local law enforcement if posted properly; if stated restrictions are violated, a simple legal recourse is possible. Also, such trails can be publicized as being sponsored by the Town, and maps and brochures can be created and published (see also **Special Events and Announcements** under **TRAILS MANAGEMENT**). RSA 231-A contains the entire list of rules and caveats, and **APPENDIX B** lists the primary statutes, but here is a summation of the main points:

Class A/B Trails

Advantages

Legally enforceable route subject to postings
Publicity

Disadvantages

Permanent discontinuance of road (if

What are Class A and Class B Trails

A Class A trail is considered a full public trail subject to the restrictions imposed upon it at the time of designation; the Town permanently discontinues the road if it were a road to start with. It may be used by the owners of abutting lands for vehicular access to their property for existing, non-development uses. A Class B trail is identical to a Class A trail but disallows vehicular access by abutting landowners and would be more appropriate for a constructed trail. By designating a Class VI road as a Class A or B trail, the rights of the abutter to develop their land and upgrade the road disappear. (RSA 231-A:1)

How to Designate a Trail

After acquiring permission from a landowner(s) and/or easement holder for use of a trail on their land, as well as agreeing on the specified restrictions, voters at Town Meeting can vote to designate any trail as a Class A or Class B trail. A trail can be so designated until the decision is rescinded or for a length of time as specified by the landowner(s).

Officially designating a trail as Class A or B has not yet caught on as a trend in the Central NH Region.

Few to no municipalities here have successfully designated trails, although it is assumed that

In the case of designating a Class B trail on a Class VI road, the abutters need to be consulted and in some cases remunerated for any damages if the designation removes any of their prior access rights. In some cases, damages can also be sought by abutters for designation of a Class A trail. In general however, Class A trails are most appropriate for Class VI roads and former railroad rights-of-way (basically, pre-existing pathways) while Class B trails are most appropriate for constructed trails. (RSA 231-A:5)

Trail Restrictions

The landowner(s), easement holder, the abutters, and Town agree upon what the trail will not be used for; these restrictions will be placed on the warrant article. Common restrictions include the prohibition of motorized vehicles on certain trails, or that a trail be used seasonally instead of year-round. The trail is then posted with the restrictions at the beginning and end of the trail, as well as at any trail junctions where the restrictions change. (RSA 231-A:1, 4, 5)

Enforcement of a Trail

As long as the restrictions to a trail are clearly posted, any violation to the trails can be treated in the same manner as a traffic violation by local law enforcement. As most Police Departments cannot extend their resources to monitor all of the designated trails, often times the trail users, stewards, or abutters will report problems to the local law enforcement, who then would investigate the complaint. Although the rules of the designated trail are enforced by the Town, the trails themselves may or may not be maintained by the Town (see also **TRAILS MANAGEMENT**). (RSA 231-A:4, RSA 265)

Municipal Liability and Private Landowner Liability of Designated Trails

The Statutes provide many protective laws about liability, particularly where recreation is involved. Where users of designated trails are not charged a fee for the use of the trails, which will be the situation in the majority of cases, the liability of both the municipality and the landowner shall be limited, where the municipality/landowner will not be held responsible for personal injuries or property damages except where such damage is intentional. In addition, volunteers who maintain the trail, with prior recognition from the municipality as a volunteer of said trail, incur the same limited liability (see also **TRAILS MANAGEMENT**). The laws are the same for those trails that are not officially designated as Class A or B by the municipality. (RSA 212:34, 231-A:8, and 508:14)

Rescinding the Designation of Class A or B Trails

Once a trail has been designated a Class A or B trail, it can be rescinded back to its original status in the same manner, by a vote at Town Meeting, as other road classifications can be changed. Where designated trails fall onto private property, the landowner(s) can at any time request that the designation be rescinded. The details are available in RSA 231-A:3.

TRAILS MANAGEMENT

A Trails Committee can be established at any time under the umbrella of the Conservation Commission. Although it will have no official "power", it will have the blessing of and be able to make recommendations to the Conservation Commission as its subcommittee. By forming a separate Trails Committee, the specific mission of creating and maintaining a trail system can be accomplished without commandeering the Conservation Commission's limited time. Members of the Conservation Commission can be on the Trails Committee; private landowners, other municipal board members, special interest groups (equestrian, snowmobile, mountain biking), local public volunteer organizations (Scouts, Rotary, Lions), schoolteachers, and representatives of private businesses can be recruited to form the Trails Committee. The more interests that are represented on the Committee, the more diverse and creative the group will be, and the variety of available resources and contacts will be greater.

Volunteer Rallying

After the formation of a Trails Committee, volunteers have their own liability issues that must be adequately addressed. RSA 508:17 provides liability protection to "recognized" volunteers of a municipality; as long as a volunteer does not commit deliberate acts of malice, he or she will not be held liable for damages by the landowner. For example, under normal trail maintenance conditions (and where an agreement has been made with the landowner), a volunteer may need to use a saw to remove a downed tree across a trail on private property; this is not an act of malice. However, if the volunteer cuts down numerous healthy trees not within the area of the trail, this act could be considered spiteful and the volunteer would not be protected under RSA 508:17.

In order to be recognized as a volunteer of a municipality, the governing bodies and the volunteer must sign an agreement, the wording of which is present under the above-mentioned RSA.

Volunteers should be recognized by the Town for their protection (liability) and for their community service
--

A copy of the agreement, the *Volunteer Liability Form*, can be found in **APPENDIX C**. Any volunteer who does work for a municipality, regardless of which board or commission the volunteer is working with, should sign a liability form for his or her own protection if private property is involved (for example, a Planning Board site walk could also offer opportunities where protection is warranted). It is also good practice for a municipality to carry insurance specifically for volunteers.

On a positive note, a *Certificate of Volunteerism* (**APPENDIX C**) can be easily given which recognizes the individual, family, or group which volunteers to create or maintain a trail. Signed by the Conservation Commission and Trails Committee Chairs, it offers an appreciative thank-you for the activities of the volunteer and could be presented upon the volunteer's agreement to steward or help create a trail.

A trails network is envisioned, the Trails Committee is established, a parcel of land is secured and the volunteers are ready to begin work on the property. Now it is time to build!

Building Trails

Trail building can be simple, but *where* the trail is placed and *how* the trail is to be used can be consequential. There are many good references available for trails building. One of them was written by a New Hampshire hobbyist who loved trails so much, he wrote a free guide for the public. Ted Bonner's "Building Foot Trails: A Guide for Towns and Landowners" gives brief, no-nonsense instructions and points out obstacles to consider. Town foresters are often an excellent local resource to tap into and to ask for assistance.

As the Trails Committee begins to create trails, consideration should be given to making one or more trails accessible to people with disabilities.

Because of potential terrain obstacles, the NH DRED has published the "Best Management Practices for Erosion Control During Trail Maintenance and Construction" to aid volunteers while protecting the land at the same time. Many different natural factors need to be considered before constructing any trail, including wetlands disturbance, erosion, and practical factors of installing culverts and bridges where necessary. There are also recommended maximum slope grades for various types of uses. All of these issues, and more, are described in detail in the document. Although the Best Management Practices are not required by law, they should be consulted prior to any trail building. In addition, where wetlands are being crossed or filled, a permit or notification needs to be filed with the NH Department of Environmental Services' Wetlands Bureau. Again, a professional Town forester can help with these processes.

Trail building can be done using a set of loppers and a bow saw to clear a four-foot wide by eight-foot high pathway. A good trail must be well-blazed so a user knows exactly where the trail leads and a good trail must be well-signed at the beginning and end, so a trail-user knows if what they want to do on the trail (hike, motorbike, snowmobile, etc) is allowed. Parking areas should be indicated, whether they are on the far shoulder of a road or on a small pull-off beside the trail. Eventually, a good map of the trail should be produced and made available to trail users through the use of an inexpensive map box at the beginning and end of the trail.

By word of mouth, many local trails "experts" can be found who have built and maintained trails in their spare time for many of years. Contacting other local Conservation Commissions or non-profit organizations may lead to the start of a new partnership and to the sharing of time-tested ideas. At some point, any municipality's trail system could benefit from tying into the trails of another Town's. In any case, talking with a neighboring Conservation Commission or their Trails Committee would probably be beneficial to both parties. Trail building references can be found in **APPENDIX C**.

Unfortunately, there will be some budgetary considerations. Even though the Trails Committee can rely upon many of its volunteers to provide their own tools, they should consider purchasing a few pairs of bow saws and lopping shears. Items which will need to be periodically purchased are trail blazes, appropriate signage, 4x4 pressure treated posts and plastic mail boxes for maps (eventually), and perhaps wood for bridging small wet areas. As the Trails Committee will be generally considered a subcommittee of the Conservation Commission, the expenses will probably come out of the Commission's budget. The use of power equipment is highly discouraged unless appropriate training, waivers, or insurance are available.

Trails Maintenance

After the trail has been built, it should be mapped. This can be effectively done by using a Global Positioning System (GPS) unit borrowed from the NH Office of State Planning (NH OSP). This unit is far different from the popular, hand-held GPS units sold in sporting stores. The smaller GPS functions almost like a navigating "compass" which is quite helpful in the wilderness. The NH OSP unit's primary function is to capture data (map trails, mark locations of cellar holes, etc) which can be processed into Geographic Information System (GIS) data. With the GIS data, accurate mapping can then be done of the trail.

The Trails Committee would probably be responsible for the majority of the designated Class A or Class B trails within Town depending on the arrangements that have been made. The Bow Pioneers are still responsible for the snowmobile trails they developed, but perhaps an agreement has been made with a trail steward to maintain a trail during the summer months. Committee members do not have to be the only people who perform maintenance on the trails. Property owners and their families are good candidates for maintaining the trails on their land, as are businesses, Scout groups, teachers and their students, and other civic-minded individuals through an "Adopt-A-Trail" program. As a Town will have many trails that need to be maintained, a *Volunteer Maintenance Agreement* (**APPENDIX C**) should be signed by the volunteer and by the Trail Committee. This agreement is a way of keeping track of those

people who volunteer to maintain each trail and to encourage "ownership" of the steward responsibilities of a trail.

People who sign a Volunteer Maintenance Agreement will want to know exactly what they are volunteering for! A "job description" can be a helpful aid to people who want to contribute to the stewardship of a trail but may not know what they are expected to do. A sample can be found in **APPENDIX C**.

To help volunteers take care of a trail, a *Trail Report Form* (**APPENDIX C**) is a tool that encourages the trail stewards to look for problems of and notice exemplary conditions of their trail. Because the report is on paper and has easy check-boxes, it also allows a standardized way for the Trails Committee to track the maintenance of many trails at one time. This type of report also encourages the volunteer to report back to the Trails Committee about the trail on a regular basis.

The municipality's licensed forester can assist with the building and maintenance of trails and can advise if a wetlands permit or notification must be filed with the NHDES when wet areas are crossed.

Special Events and Announcements

Trails have been created, are maintained by volunteers, and have been mapped. A next step is to name the trails and give them their own identities. The Trails Committee may wish to honor the landowner or family that generously donated the use of their land by naming a trail after them. Other ways to "individualize" the trails is to name them after their certain natural characteristics, or what has been spotted along the trail, or after a special person in Town. Trails that have distinct names are easier to promote and attract attention to. Trails dedication ceremonies can attract people to the opening of a new trail and give tremendous pride to the people who working on the trail and to any people who are having a trail named after them.

Promoting your trails can be one of the most rewarding aspects of an open space trail system: the Town, Trails Committee, landowners, and trail stewards get to "show off" the tremendous amount of work they have cooperatively achieved. Tourists can be drawn to the area and residents can take advantage of the unique recreational opportunity offered to them. Informing the public of your accomplishments can take one of many different forms.

Parcel-specific individual maps can be created through the acquisition of GPS data, as noted previously. A municipality may have the capability to produce the maps on its own if it has the proper software and hardware. As an alternative, the Central New Hampshire Regional Planning Commission, like the other eight regional planning commissions in the State, offers low-cost map production services to its member municipalities. After having the maps printed, perhaps through the in-kind donation of the services of a local printing business, they should be placed in the map boxes at the trailheads.

Guidebooks, maps, and brochures are effective "marketing" tools for your trails!

A collection of the maps can be placed into a single trails guidebook and sold without profit to enthusiasts and residents. The guidebook could also contain descriptions about each trail and the interesting finds along the way. Incorporating the trails into maps and into a Trails Guidebook will be one of the best marketing tools to get new people to visit the trails and perhaps even find additional volunteers to steward them.

National Trails Day is a yearly event organized by the American Hiking Society which is intended to bring awareness of the myriad of trail systems throughout the country. Any Conservation Commission, private group, or public group can "sign on" and use the National Trails Day's publicity to generate additional interest and participation in their own trail system. On the day itself, groups all over United States hold trails-related events. For a local Trails Committee, this could mean that the general public is invited to attend and participate in a trail-clearing event or a maintenance event of a trail in need. A Trails Committee could recommend that these temporary volunteers fill out a Volunteer Liability Form in the event that property damage or injury result (see **Volunteer Rallying** for more information). New Hampshire holds its own Trails Day in the summer as well.

Where other trails-related projects are cut-and-dry, public promotional events offer a chance to be creative. Better yet, they provide a different type of fun that appeals to people of all ages. Involving people to plan for and participate in the events will further cement the community's ties to its open space trail system.

OPEN SPACE MANAGEMENT

Conservation lands tie heavily into the equation of people and trails. Not all land which sustains trails will be privately owned. Conservation lands are typically thought of as being permanently protected from development, thus pairing very well with the concept of a trail system built upon them in order to allow people to appreciate nature. But not all open space is permanently protected from development. Through a Master Plan, municipalities are able to identify their conservation goals and objectives and take appropriate actions to help meet those goals.

Bow is host to a number of town-owned properties as well as to a variety of permanently protected conservation lands. Tying these lands together through the means of a trail system not only encourages recreation, it also helps preserve the spirit of the open space concept. To that end, there are many regulatory and non-regulatory techniques available to help municipalities create and retain an open space network.

Zoning Ordinances and Regulations

Municipal Zoning Ordinances, Subdivision Regulations, and Site Plan Review Regulations offer a variety of ways to help preserve the open space within a Town. The types of zones themselves and the allowed uses within each zone play a part in the overall preservation scheme of a Town. For example, while a Residential zone may require a 2-acre minimum lot size and allows development activity, an Agricultural zone may require a 10-acre minimum lot size and may not permit certain types of activity. Many Central New Hampshire Region towns have Conservation zones which have differing lot size minimums and allowed uses, but this zone is typically more sensitive to the requirements of retaining open space.

Another zoning tool is the use of overlay districts. These special districts encompass one or more underlying zones and imposes additional requirements above that required by the underlying zone. Typical overlay districts include Historic, Floodplain, Aquifer, and Wetland. While not traditionally used in the protection of open space, appropriately placed overlay districts, like Wetland for example, can also serve to protect natural habitat over vast areas.

Instead of retention, consider the creation of open space through the municipal Zoning Ordinance. Commonly referred to open space development or “cluster development” or “incentive zoning”, concentration of new housing on smaller than traditional lots encourages the developer to dedicate a large portion of the entire development to permanent preservation. Developers can benefit from open space development by its inherently less expensive infrastructure and by the added value to the building lots that open space creates. A density bonus could be granted, allowing for more building lots to be created through open space development than through traditional zoning. The municipality also benefits from open space development through a significant land donation from the developer. This innovative zoning control can allow the municipality and developer to work cooperatively and conserve large contiguous tracts of land in the process.

A recreational impact fee can be imposed at the time a certificate of occupancy is granted for newly constructed buildings, again through the Zoning Ordinance. A proportionate formula determines the amount of money that must be paid, which goes into a fund in the Capital Improvements Program. As long as municipalities have a properly adopted Master Plan and Capital Improvements Program, impact fees can be charged, but if they are not used within six years they must be returned to the individual. Recreational impact fees can help with the purchase of land, the building of parks, and the construction of trails for public use.

Within the Subdivision and Site Plan Review Regulations, a requirement for developers to donate easements or land can be imposed. For Subdivision Regulations, the most reasonable requirement would be for major subdivisions (over three lots). For either set of regulations, the donation of easements or land can easily supplement the holdings of the Town and can enhance an existing open space network if planned properly. Typically, a municipality needs to have an adopted Master Plan and Capital Improvements Program in place which actively support the rationale behind the donation requirements in order to be defensible.

Other Municipal Regulatory Techniques

The current use tax law (RSA 79-A) is a widely-used tool in which property owners ease their tax burden by placing their land under “current use”. While this status helps them lower their property taxes on the parcel, the right to use their property in certain ways has been rescinded. New house construction, subdivision, or other significant terrain- and use-altering activities are prohibited until the property is removed from its current use status, which would then require property owners to pay a portion of the assessed value of the parcel back to the Town. This penalty not only discourages the removal of the current use status, it also create opportunities for municipalities to use the land use change tax in ways that benefit the community.

Many municipalities in the Central Region have, at Town Meeting, voted to allow a percentage of the land use change tax penalties to be allocated to a land acquisition fund. This fund is used to purchase lands of significant open space, aesthetic, historical, or ecological value. The amount of money in this fund can be substantial, and typically the Conservation Commission is in charge how the money is spent.

The creation of a forestry management reserve fund, again through Town Meeting, can assist with the management responsibilities of Town-owned land use for forestry purposes. Forestry revenues generated by forest management have been used by Central Region municipalities for building trails on the forested lots, for hiring a licensed Town Forester to oversee management and write forestry management plans, and for other incidentals associated with forested lands.

Easements and Acquisitions

The selective purchase of or acceptance of easements can be instrumental in building a contiguous open space network throughout Town. The same can be said for acquisitions either through donation or through purchase. Although all permanently preserved land is valuable in its own right, the management responsibilities of a new easement or acquisition may outweigh the benefit that the parcel has to offer. For example, a small parcel that is not geographically located near other protected lands may need to be heavily considered as to whether it would become an asset or a liability to the holdings of the Town. Is the parcel suitable for forestry management? Does it contain exemplary characteristics (ponds, wetlands, plant or animal species, scenic vistas, historical value) that make it desirable for permanent conservation? Can the parcel be used as a park or as a trail network connector? These and other questions should be considered before a municipality purchases or accepts a parcel of land into its own holdings.

Alternatives to a municipality taking on the responsibility for management of select parcels would be to contact a land trust about their interest in the parcel. They would also be concerned about the characteristics that a parcel has to offer. However, they have extensive experience negotiating with landowners and drafting the necessary legal documents, and may be able to take quicker action on the parcel’s purchase or donation. Working with local land trusts can also help a Town consider the big picture of open space management. By establishing a positive relationship from the start, both the municipality and the land trust can reap mutual benefits and preserve appropriate land from development. Specifics about easements and acquisitions are listed in the prior **LANDOWNER PARTNERSHIPS** section, and **APPENDIX C** has a listing of State and Central Region area land trusts.

How does a municipality accept a donation of land? It is time to bring in the Town Attorney, who has the resources needed to assist with such a transaction. The Attorney helps the Conservation

Commission by drafting up the necessary legal documents required. However, it is also good practice to have a professional boundary survey done of the property and to conduct thorough research of the deed to determine if there are any problems prior to acceptance. Typically, such administration and field costs of the donation of a parcel can run between \$2,000 to \$5,000 depending on the size of the parcel and the complexity of any issues at hand. Be confident the land you are accepting is worth your time and the Town's money before you accept the donation of a parcel of land.

GRANTS AND FUNDING PROGRAMS

There are many funding sources available for trails acquisition and construction, which are the primary components of a trail system, or even a singular trail, after landowner concurrence. The primary source of these funds are through federal programs, most of which are passed through the State of New Hampshire. These funds are competitively awarded through State agencies after a rigorous application process. Match requirements for the federal/state programs, as well as the frequency of the grant rounds, are indicated.

Trails maintenance dollars, however, require a different approach as most grant programs do not support maintenance projects on established trails. Local techniques are the most efficient means of obtaining funds for existing trails. When a Trails Committee applies for a grant, it will do so under the umbrella of the Conservation Commission, which will be applying under the umbrella of the Board of Selectmen. Depending on the grant being applied for and on the warrant articles passed at previous Town Meetings, it might be necessary to write and pass a warrant article for acceptance of grant funds before a contract can be signed with the awarding agency (RSA 31:95-b). **APPENDIX A** contains a sample warrant article for this purpose.

Other approaches listed in this section include partnerships with other organizations and solicitation of funding. With regard to holding fundraisers or asking for donations, if a municipality does not allow its boards (a subcommittee of the Conservation Commission would technically be considered a board of the Town) to accept monetary donations, a different tact would be to consider establishing the Trails Committee as a 501:c-3 organization. This non-profit organization would then be able to accept donations, write grants on its own, and hold fundraisers; it would no longer be considered a board of the municipality but a separate entity. This long-term approach may offer both advantages and disadvantages to the mission of the Trails Committee.

Transportation Equity Act for the 21st Century

The most well known source for funds for expansion of trail systems is associated with the Transportation Equity Act for the 21st Century (TEA-21). In the capacity as the replacement legislation for ISTEA, TEA- 21 has expanded federal funds for creation of multi-use trails in order to encourage the development of a stronger intermodal transportation system. Funding associated with TEA-21 is broken into the following separate grant programs which are administered by different State agencies.

Recreational Trails Program - NH DRED

The purpose of this program is to provide funds to develop and maintain recreational trails for both motorized and non-motorized recreational trail users. Each state is provided with a predetermined amount of funding based upon a formula. This program is one exception where trail maintenance funds can be awarded if the project scores competitively higher than other applications. Awards range between \$1,000 and \$20,000. Eligible projects for funding under this program include, but are not limited to:

IMPLEMENTATION MEASURES

- ☐ Maintenance and restoration of existing recreational trails;
- ☐ Development and rehabilitation of trailside and trailhead facilities and trail linkages;
- ☐ Purchase and lease of recreational trail construction and maintenance equipment;
- ☐ Construction of new trails (with restrictions for trails on federal land);
- ☐ Acquisition of easements or property for recreational trails or corridors;
- ☐ State administrative costs; and
- ☐ Operation of educational programs to promote safety and environmental protection as related to recreational trails.
Match: 80% federal, 20% local (in-kind or cash)
Frequency: There is one grant round per year.

Transportation Enhancement Funds - NH DOT

Transportation Enhancements (TE) are transportation-related projects designed to strengthen environmental, cultural, and aesthetic aspects of transportation networks. This source of funding has been created to construct non-traditional projects, which may include trails, bicycle paths, and beautification and preservation projects. All projects must be related to surface transportation:

- ☐ Safety and educational activities for pedestrians and bicyclists;
- ☐ Bicycle and pedestrian facilities
- ☐ Acquisition of scenic lands and easements
- ☐ Scenic or historic highway programs;
- ☐ Environmental programs to address water pollution from highway runoff; and
- ☐ Establish transportation museums.
Match: 80% federal, 20% local (in-kind or cash)
Frequency: There is one grant round every two years.

Congestion, Mitigation and Air Quality Improvement Program - NH DOT

The CMAQ program was established to encourage alternative modes of transportation or improvements in order to improve air quality and reduce polluting traffic congestion in urban places. The Central New Hampshire area falls into the attainment category, which means our air quality meets or exceeds federal standards. Trails, bicycle paths, and pedestrian walkways termed as Transportation Control Measures (TCM), are required for areas which exceed National air quality allowances for ozone and carbon monoxide. Although a trails application could be entered for consideration, trails projects are usually funded through the "sister program" of TE. Because the most serious problems are found in areas of non-attainment, only a small amount of funds will be available for projects in attainment areas.

Match: 80% federal, 20% local (in-kind or cash)
Frequency: every two years

Rivers and Trails Conservation Assistance - National Park Service (US NPS)

The NPS provides professional assistance on a competitive, yearly basis to organizations that apply to their River and Trail Conservation Assistance Program. Although funds are not usually granted, they will work with the recipients to work toward a goal (producing a handbook or brochure, holding public meetings, organization of potential partnerships, etc).

Match: local work and support (in-kind)
Frequency: There is one grant round per year.

Land and Water Conservation Fund (LWCF) - NH DRED

This federally-established funding opportunity has been severely underfunded for the last several years. The Land and Water Conservation Fund Act of 1965 authorized financial assistance to States and their municipalities for acquiring and developing lands and waters for public outdoor recreation purposes. There have been extensive, popular movements over the last few years to get Congress to refund this important program, but as of yet to no avail.

Match: 60% federal match, 40% local of cash or local work and support (in-kind)

Frequency: There is one grant round per year.

Community Development Block Grants (CDBG) - NH Office of State Planning (NH OSP)

Each year, New Hampshire receives approximately 10 million dollars from the US Department of Housing and Urban Development. Of each annual appropriation, funds are divided between administrative costs, entitlement communities, and previous allocations guaranteed for multi-year grants. Remaining funds are available for grant applications from non-entitlement communities. Administered through the Office of State Planning, non-entitlement communities may submit applications community facilities or economic development grants for a variety of projects, which includes construction of bicycle paths, sidewalks, and trail development. Because of the very competitive scoring and limitation of funds, the likelihood that a trails-related application would be funded at this time is slim.

Match: 50% local for community facilities or economic development grants

Frequency: There are two grant rounds each year.

NH Land and Community Heritage Investment Program (LCHIP) - to be determined

This new initiative was signed into law by Governor Shaheen in June, 2000 after two years of earnest discussion and legislation. Although the rules are yet to be established as of the writing of this Plan, the first monies of this permanent program should be available after April, 2001.

Match: 50% minimum local match, half of which must be in cash

Frequency: There is anticipated to be one competitive grant round per year.

McCabe Environmental Fund - NH Charitable Foundation

Grants are awarded to assist the establishment of new conservation and education programs, to support significant improvements to the quality and scope of established programs, and for capital projects, including land acquisition, of exceptional importance in the State. Awards range from \$5,000 to \$20,000.

Match: local work and support (in-kind)

Frequency: There is one grant round per year.

New England Grassroots Environmental Fund - NH Charitable Foundation

This small grants program is designed to enhance community participation in local and regional environmental issues. A significant volunteer commitment must be part of any project. Awards typically range from \$500 to \$2,500.

Match: local work and support (in-kind)

Frequency: There are three grant rounds per year.

Local Set-Aside Programs

Funding for trails related projects are not limited to the State or Federal level of government.

Municipalities, especially those with a large dependence on tourism, have passed resolutions to transfer various percentages of the Timber Tax received by the Town for conservation and trail building efforts.

In communities with a heavy dependence on timber, this may be a significant amount of revenue for trails-related projects. Also, a land use change tax conservation fund (see also **OPEN SPACE**

MANAGEMENT) takes the burden off of outright expenditures for easements or key parcel purchases.

APPENDIX A contains a warrant article for creating a conservation fund.

Sale of Salvage Rights

Commonly used to finance trail improvements associated with abandoned railway beds, the sale of salvage rights of materials found on trails such as rail road ties, rails, and ballasts can be a lucrative way to raise funds for trail development. Revenue generated from the sale of these items can vary widely depending on geographic location of the items, local market conditions, length of the corridor, and quantity and quality of salvageable materials. According to the Rails-to-Trails Conservancy, salvage material can produce revenue up to \$10,000 per mile of rail corridor. In Bow, all of the railroad ties have been previously removed, rendering this option impractical.

Capital Improvements Programs

Some progressive communities throughout the country have established Capital Reserve funds to match gifts or complement exactions for improvement of municipally owned trail networks. Capital Improvement Programs are excellent for development of trails. First, funds deposited into any capital reserve fund are “ear marked” for expenditure on trail related projects. Secondly, such funds can serve as legal leverage when negotiating exactions from developers, because any capital reserve account for trail improvement shows a local commitment to improvement of trails, important should a developer mount a legal objection to any exaction.

Non-Profit Partnerships

There are a host of non-profit organizations throughout the country that may be able to provided funding, technical assistance, or act as negotiators with landowners for land conservation or trail projects. Organizations include the Trails Conservancy, Trust for Public Lands, the Nature Conservancy, and the Society for the Protection of New Hampshire Forests.

Local Businesses

Businesses within Town, particularly banks or large chain stores, are usually enthusiastic about giving back to their community. Some regularly set aside a certain amount of funds on a yearly basis to give to community organizations that express a genuine need. The business benefits by being publicly known as a sponsor of volunteer community efforts, and the Trails Committee benefits by the funds it would receive.

A word of caution about monetary gifts: municipalities and their boards may or may not have established mechanisms in place to accept or solicit donations. The Board of Selectmen should be consulted prior to approaching businesses in order to determine the legality of the donation.

Fundraisers and Monetary Gifts

A variety of innovative fundraising resources have been developed over the past several years to provide money for trail improvements. These techniques range from traditional bake sales, to raffles, to dinners, to hike-a-thons, to the “selling” of sections of trails for \$10 per foot to outdoor enthusiasts. Other techniques include the sale of benches and trees. Donators are recognized by having their names either inscribed on the bench, or with a plaque under the purchased tree. Naming a scenic view or even a trail for families or organizations making significant donations may be an appropriate way to recognize such gifts. Community organizations like the Rotary Club or Lions Club may be willing to assist or provide information about how to organize such events.

Again, a word of caution about fundraisers and monetary gifts: municipalities and their boards may or may not have established mechanisms in place to accept donations or hold fundraisers. The Board of Selectmen should be consulted before undertaking these types of events to determine the legality of the fundraising. As an alternative, non-monetary donations such as trails maintenance equipment, benches, trees, or the printing of maps or brochures are acceptable as "in-kind" donations.



SAMPLE LANDOWNER AGREEMENT

RIGHT OF WAY TRAIL AGREEMENT

Permission is hereby granted to _____ to create and maintain a public recreational trail across my property at _____ for the purposes of:

- | | |
|--|---|
| <input type="checkbox"/> hiking | <input type="checkbox"/> four-wheel driving (4WD) |
| <input type="checkbox"/> horseback riding | <input type="checkbox"/> snowmobiling |
| <input type="checkbox"/> mountain biking | <input type="checkbox"/> motorbiking |
| <input type="checkbox"/> all-terrain vehicle (ATV) use | <input type="checkbox"/> dogsledding |
| <input type="checkbox"/> cross-country skiing | <input type="checkbox"/> snowshoeing |
| <input type="checkbox"/> other _____ | <input type="checkbox"/> other _____ |

I understood that the use of this right of way for said purpose in no way holds me liable or responsible for accidents that may occur as a result of others using my property as provided in Chapter 212, Section 34, Laws of the State of New Hampshire. There shall be no fee for this easement, and the above-named organization will charge no fee for use of the trail on my property. The above named organization further agrees to mark and maintain this right of way in a proper and safe manner, post the allowed uses at the beginning and end of the trail on my property, and notify me of any known unusual circumstances or conditions.

This agreement shall have a term of:

- ☐ Indefinite ☐ 1 year from date of signing ☐ 5 years from date of signing

This agreement may be terminated for any cause by either party upon 30-day written notification.

Dated this _____ day of _____, 20____.

Landowner Date

Address

Organization Officer Date

Address

SAMPLE BOW OPEN SPACES CONSERVATION EASEMENT DEED

THIS IS A NON-CONTRACUAL CONVEYANCE PURSUANT TO NEW HAMPSHIRE RSA 78-B:2 AND IS EXEMPT FROM THE NEW HAMPSHIRE REAL ESTATE TRANSFER TAX.

CONSERVATION EASEMENT DEED

The Town of Bow, a municipal corporation, located in the County of Merrimack, State of New Hampshire, (hereinafter referred to as the “Grantor”, which word where the context requires includes the plural and shall, unless the context clearly indicates otherwise, include the Grantor’s executors administrators, legal representatives, devisees, heirs, successors and assigns), for consideration paid, with QUIT CLAIM covenants, grant[s] in perpetuity to the Bow Open Space, Inc. a corporation duly organized and existing under the laws of the State of New Hampshire, with a principal place of business at 10 Grandview Road, Town of Bow, County of Merrimack, State of New Hampshire, 03304, having been determined by the Internal Revenue Service to be an income tax exempt, publicly supported corporation, contributions to which are deductible for federal income tax purposes pursuant to the United State Internal Revenue Code, (hereinafter referred to as the “Grantee” which shall, unless the context indicates otherwise, include the Grantee’s successors and assigns), the Conservation Easement (herein referred to as the “Easement”) hereinafter described with respect to those certain parcels of land designated as parcels, LIST OF Parcels and numbers (herein referred to as the “Property”) with any and all buildings, structures, and improvements thereon/being unimproved land situated in the Town of Bow, County of Merrimack, State of New Hampshire, more particularly bounded and described in Appendix “A” attached hereto and made a part hereof.

1. PURPOSES

The Easement hereby granted is pursuant to NH RSA 477:45-47, exclusively for the following conservation purposes:

A. The preservation of the land in perpetuity and the maintenance of the scenic, aesthetic character, and natural vegetative characteristics to preserve its natural qualities and functions which include: watershed, and foraging area for wildlife, subject to the Easement granted hereby for outdoor recreation, including but not limited to hiking, hunting, fishing, cross-country skiing, horseback riding, snowmobiles, non-motorized bikes and non-motorized vehicles, by and for the education of the general public, through the auspices of the Bow Conservation Commission; and

B. The preservation of open spaces, particularly the productive forestland of which the land subject to the Easement granted hereby consists for the scenic enjoyment of the general public. This purpose is consistent with the clearly delineated open space conservation goals and/or objectives as stated in the Master Plan Town of Bow, New Hampshire 1992, and with New Hampshire RSA Chapter 79-A which states: "It is hereby declared to be in the public interest to encourage the preservation of open space, thus providing a healthful and attractive outdoor environment for work and recreation of the state’s citizens, maintaining the character of the state’s landscape, and conserving the land, water, forest, agricultural and wildlife resources.” To the extent that any condition of the easement granted by this deed is inconsistent with any specific provisions of the 1992 Master Plan of the Town of Bow regarding the use of snowmobiles, the terms of the is easement shall govern and snowmobiles shall be given access to the land conveyed by this easement on such trails and ways as Grantee deems appropriate; and

All of these purposes are consistent and in accordance with the US Internal Revenue Code, Section `70 (h).

The Easement hereby granted with respect to the Property is as follows:

2. USE LIMITATIONS (Subject to the reserved rights specified in Section 3 below)

A. the Property shall be maintained in perpetuity as open space without there being conducted thereon any industrial or commercial activities, except forestry as described below, and provided that the productive capacity of the Property to produce forest shall not be degraded by on-site activities.

i. For the purposes hereof, “forestry” shall include; the growing, stocking, cutting and sale of forest trees of any size capable of producing timber or other forest products; and the processing and sale of products produced on the Property all as not detrimental to the scenic, recreational, wildlife habitat protection purposes of this Easement.

ii. Forestry on the Property shall be performed, the extent reasonably practicable, in accordance with a coordinated management plan for the sites and soils of the Property. Forestry management activities shall be in accordance with the then current scientifically based practices recommended by the US Cooperative Extension Service, US Soil Conservation Service, or the government or private nonprofit natural resource conservation and management agencies then active. Management activities shall not materially impair the scenic quality of the Property as viewed from public waterways, great ponds, public roads, or public trails.

B. The Property shall not be subdivided or otherwise divided in ownership and none of the individual tracts, which together comprise the Property, shall be conveyed separately from one another. Nonetheless, the individual lots may be consolidated.

C. No structure or improvement, including, but not limited to, a dwelling, any portion of a septic system, tennis court, athletic field, swimming pool, dock, aircraft landing strip, tower or mobile home, shall be constructed, placed, or introduced onto the Property. However, ancillary structures and improvements including, but not limited to, a road, dam, fence, bridge, culvert, or shed may be constructed, placed, or introduced onto the Property only as necessary in the accomplishment of the forestry, conservation, or noncommercial outdoor recreational uses of the Property and provided that they are not detrimental to the scenic, agricultural, recreational, wildlife habitat protection purposes of this Easement.

D. No removal, filling, or other disturbances of soil surface, nor any changes in topography, surface or subsurface water systems, wetlands, or natural habitat shall be allowed unless such activities:

i. are commonly necessary in the accomplishment of the forestry, conservation, habitat management, or noncommercial outdoor recreational uses of the Property; and

ii. do not harm state or federally recognized rare, threatened, or endangered species, such determination of harm to be based upon information from the New Hampshire Natural Heritage Inventory or the agency then recognized by the State of New Hampshire as having responsibility for identification and/or conservation of such species; and

iii. are not detrimental to the scenic, recreational, wildlife habitat protection purposes of this Easement, and

Prior to commencement of any such activities, all necessary federal, state and local permits and approvals shall be secured.

E. No outdoor advertising structures such as signs and billboards shall be displayed on the Property except as desirable or necessary in the accomplishment of the forestry, conservation, or noncommercial outdoor recreational uses of the Property, and provided such signs are not detrimental to the purposes of the Easement.

F. There shall be no mining, quarrying, excavation, or removal of rocks, minerals, gravel, sand, topsoil, or other similar materials on the Property, except in connection with any improvements made pursuant to the provisions of paragraphs 2.A., C., D., or E., above. No such rocks, minerals, gravel, sand, topsoil, or other similar materials shall be removed from the Property.

G. There shall be no dumping, injection, burning or burial of man-made materials or materials then known to be environmentally hazardous.

3. RESERVED RIGHTS

A. This provision is an exception to 2.C. and 2.D. above. Grantor reserves the right to use the Property for a public water supply and to construct any wells, piping, pumping stations and drainage areas necessary to operate a public water supply on the Property.

B. Environmental and educational facility on GIVE LOT NUMBER not to exceed 24 feet by 36 feet and 2 ½ stories high.

C. The Grantor must notify the Grantee in writing at least thirty (30) days before any exercise of the aforesaid reserved rights.

4. NOTIFICATION OF TRANSFER, TAXES, MAINTENANCE

A. The Grantor agrees to notify the Grantee in writing 10 days before the transfer of title to the Property.

B. The Grantee shall be under no obligation to maintain the Property or pay any taxes or assessments thereon.

5. BENEFITS, BURDENS AND ACCESS

A. The burden of the Easement conveyed hereby shall run with the Property and shall be enforceable against all future owners and tenants in perpetuity; the benefits of this Easement shall not be appurtenant to any particular parcel of land but shall be in gross and assignable or transferable only to the Audubon Society of New Hampshire or The Society for Protection of New Hampshire Forests, State of New Hampshire, the US Government, or any subdivision of either of them, consistent with Section 170 (c) (1) of the US Internal Revenue Code of 1986, as amended, or to any qualified organization within the meaning of Section 170 (h) (3) of said Code, which organization has among its purposes the

conservation and preservation of land and water areas and agrees to and is capable of enforcing the conservation purposes of this Easement. Any such assignee or transferee shall have like power of assignment or transfer.

B. The Grantee shall have reasonable access to the Property and all of its parts for such inspection as is necessary to determine compliance with and to enforce this Easement and exercise the rights conveyed hereby and fulfill the responsibilities and carry out the duties assumed by the acceptance of this Easement.

6. BREACH OF EASEMENT

A. When a breach of this Easement, or conduct by anyone inconsistent with this Easement, comes to the attention of the Grantee, it shall notify the Grantor in writing of such breach or conduct, delivered in hand or by certified mail, return receipt requested.

B. The Grantor, shall, within thirty (30) days after receipt of such notice or after otherwise learning of such breach or conduct, undertake those actions, including restoration, which are reasonably calculated to cure swiftly said breach or to terminate said conduct, and to repair any damage. The Grantor shall promptly notify the Grantee of its actions taken under this section.

C. If the Grantor fails to take such proper action under the preceding paragraph, the Grantee shall, as appropriate to the purposes of this deed, undertake any actions that are reasonably necessary to cure such breach or to repair any damage in the Grantor's name or to terminate such conduct. The cost thereof, including the Grantee's expenses, court costs and legal fees shall be paid by the Grantor, provided that the Grantor has acted willfully and its acts are directly or primarily responsible for the breach.

D. Nothing contained in this Easement shall be construed to tentacle the Grantee to bring any action against the Grantor for any injury to or change in the Property resulting from causes beyond the Grantor's control, including, but not limited to, a unauthorized actions by third parties, natural disasters such as fire, flood, storm, and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes.

E. The Grantee and the Grantor reserve the right, separately or collectively, to pursue all legal remedies against any third party responsible for any actions detrimental to the conservation purposes of this Easement.

7. POWER OF TERMINATION

A. If the Grantee, other than the "Bow Open Spaces, Inc." ceases to enforce the Easement conveyed hereby or fails to enforce it within thirty (30) days after receipt of written notice requesting such enforcement delivered in hand or by certified mail, return receipt requested, then the Bow Open Spaces, Inc. shall have the right to enforce this Easement. All reasonable costs of such enforcement shall be paid by the Grantee. The Bow Open Spaces, Inc. shall also have the right to terminate the interest of the Grantee in the Property by recording a notice to that effect in the Registry of Deeds referring hereto and shall then assume all interests and responsibilities granted to the Grantee in this deed.

B. The interests held by the Bow Open Spaces, Inc. are assignable or transferable to any party qualified to become Grantee's assignee or transferee as specified in Section 5.A. above. Any such assignee or transferee shall have like power of assignment or transfer.

8. NOTICES

All notices, requests and other communications, required or permitted to be given under this Easement shall be in writing, except as otherwise provided herein, and shall be delivered in hand or sent by certified mail, postage prepaid, return receipt requested to the appropriate address set forth above or at such other address as the Grantor or the Grantee may hereafter designate by notice given in accordance herewith. Notice shall be deemed to have been given when so delivered or so mailed.

9. SEVERABILITY

If any provision of this Easement, or the application thereof to any person or circumstance, is found to be invalid by a court of competent jurisdiction, by confirmation of an arbitration award or otherwise, the remainder of the provisions of this Easement or the application of such provision to persons or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.

10. CONDEMNATION

A. Whenever all or part of the Property is taken in exercise of eminent domain by public, corporate, or other authority so as to abrogate in whole or in part the Easement conveyed hereby, the Grantor and the Grantee shall thereupon act jointly to recover the full damages resulting from such taking with all incidental or direct damages and expenses incurred by them thereby to be paid out of the damages recovered.

B. The balance of the land damages recovered (including, for purposes of this subsection, proceeds from any lawful sale, in lieu of condemnation, of the Property unencumbered by the restrictions hereunder) shall be divided between the Grantor and the Grantee in proportion to the fair market value of their respective interests in that part of the Property condemned on the date of condemnation.

C. The Grantee shall use its share of the proceeds in a manner consistent with an in furtherance of one or more of the conservation purposes set herein.

11. ADDITIONAL EASEMENT

Should the Grantor determine that the expressed purposes of this Easement could better be effectuated by the conveyance of an additional easement, the Grantor may execute an additional instrument to that effect, provided that the conservation purposes of this Easement are not diminished thereby and that a public agency or qualified organization described in Section 5.A., above, accepts and records the additional easement.

12. ARBITRATION OF DISPUTES

A. Any dispute arising under this Easement shall be submitted to arbitration in accordance with New Hampshire RSA 542.

APPENDIX A: SAMPLE LEGAL DOCUMENTS

B. The Grantor and the Grantee shall each choose an arbitrator within 30 days of written notice from either party. The arbitrators so chosen shall in turn choose a third arbitrator within 30 days of the selection of the second arbitrator.

C. The arbitrators so chosen forthwith set as early a hearing date as is practicable which they may postpone only for good cause shown.

D. A decision by two of the three arbitrators, made as soon as practicable after submission of the dispute, shall be binding upon the parties and shall be enforceable as part of this Easement.

The Grantee, by accepting and recording this Easement, agrees to be bound by and to observe and enforce the provisions hereof and assumes the rights and responsibilities herein granted to and incumbent upon the Grantee, all in furtherance of the conservation purposes for which this Easement is delivered.

IN WITNESS WHEREOF, I (We) have hereunto set my (our) hand(s) this ____ day of

Town of Bow
By its Board of Selectmen

ACCEPTED: Bow Open Spaces, Inc.

THE STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

Personally appeared selectmen names this ____ day of who acknowledged the foregoing to be their voluntary act and deed.

THE STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

Personally appeared ____ the ____ of Bow Open Spaces, Inc. this ____ day of who acknowledged that the foregoing instrument was signed on behalf of Bow Open Spaces, Inc.

APPENDIX A - Listing of properties and descriptions

SAMPLE WARRANT ARTICLES**Warrant Article for Creating a Capital Improvements Program**

To see if the Town will authorize the Planning Board to prepare and amend a recommended program of capital improvement projects projected over minimum periods of six years, in accordance with RSA 674:5-8.

- Town of Canterbury, 1996

Warrant Article for Establishing a Land Use Change Tax Conservation Fund

To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purposes of the Conservation Commission and to raise and appropriate the sum of One Thousand Dollars (\$1000) to be placed in this fund and to authorize the Selectmen to act as agents to expend.

- Town of Allenstown, 1999

Warrant Article for Amending the Land Use Change Tax Percentage

To see if the Town will vote to change to 35% the percentage of all revenues from all future payments collected under the land use change tax set forth in RSA Chapter 79-A which are placed in the conservation fund in accordance with RSA 36-A:5,III. The current percentage is 20% as established by the 1993 Town Meeting.

- Town of Hopkinton, 1996

Warrant Article for Raising Money for Open Space Acquisition

To see if the Town will vote to raise and appropriate the sum of One Hundred Thousand Dollars (\$100,000) for open space acquisition by the Conservation Commission in order to preserve the character of our community, maintain open space, and control growth.

- Town of Bow, 1997

Warrant Article for Acceptance of Grant Funds

To see if the Town will vote to authorize the Board of Selectmen to apply for, accept and expend, without further action by the Town Meeting, unanticipated money from a state, federal, or other governmental unit or private source which may become available during the fiscal year, in accordance with the provisions of RSA 31:95-b, provided that said authority is granted indefinitely until such time as rescinded by a vote of the Town Meeting.

- Town of Alton, 1994

Warrant Article for Retaining Town-Owned Land for Conservation Purposes

To see if the Town will vote to retain ownership of lots 11-67,100 and 11-400,210 and 11-376,213 comprising a total of eight (8) acres located in the former Penhallow development off the East Washington Road as per RSA 80:80, V and place these lots under the supervision of the Bradford Conservation Commission in order to further the development of a trail system linking Town held conservation lands.

- Town of Bradford, 1999

Warrant Article for Acceptance of Land Donation as Town Forest

APPENDIX A: SAMPLE LEGAL DOCUMENTS

To see if the Town will accept a 41.69 acre gift of land from Forrest and Vera Fogg, being tract #C3-1-2 that lies North of Gorham Pond Road adjacent to the Kuncanowet Town Forest and Conservation Area, upon mutual satisfaction of the conditions agreed upon by Forrest and Vera Fogg and the KTFCA committee. When the transfer is completed, this tract is to be dedicated as part of the Kuncanowet Town Forest and Conservation Area designated by Articles Z and XI at the 1989 Town Meeting.

- Town of Dunbarton, 1994

Warrant Article for Permanent Discontinuance of Road

To see if the Town will vote to discontinue and relinquish all interests of the Town therein a portion of Sand Road beginning at a point nine hundred fifty feet (950') from Pembroke Street/Route 3 and terminating at Sheep Davis Road/Route 106, pursuant to RSA 231:43, provided that the Town incurs no expense resulting from the discontinuance.

- Town of Pembroke, 1997

Warrant Article for Reclassifying a Class VI Highway to a Class A Trail

To see if the Town will vote to reclassify Smith Road, a Class VI highway, and the Class VI portion of Dunfield as Class A Trails in accordance with RSA 231-A. A Class A trail is a full public right of way subject to public trail use restrictions. It may not be used for vehicular access to any new building, but it may be used by abutting landowners to provide access for agriculture and forestry and to any building existing prior to its designation as a Class A trail. The municipality shall bear no responsibility for maintaining the trail for such uses.

- Town of Bradford, 1997

Warrant Article for Designating a Scenic Road

To see if the Town of Sutton, NH will vote to designate Cotton Road, commencing at Baker Road, a scenic road in accordance with RSA 231:157 and 158, for the purpose of protecting and enhancing the rural and scenic character and beauty of Sutton.

- Town of Sutton, 1996



TITLE 3

Towns, Cities, Village Districts, and Unincorporated Places

CHAPTER 31

Powers and Duties of Towns

Miscellaneous

SECTION 31:95-b

§ 31:95-b Appropriation for Funds Made Available During Year. – I. Notwithstanding any other provision of law, any town or village district at an annual meeting may adopt an article authorizing, indefinitely until specific rescission of such authority, the board of selectmen or board of commissioners to apply for, accept and expend, without further action by the town or village district meeting, unanticipated money from the state, federal or other governmental unit or a private source which becomes available during the fiscal year. The following shall apply:

(a) Such warrant article to be voted on shall read: "Shall the town (or village district) accept the provisions of RSA 31:95-b providing that any town (or village district) at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the selectmen (or commissioners) to apply for, accept and expend, without further action by the town (or village district) meeting, unanticipated money from a state, federal, or other governmental unit or a private source which becomes available during the fiscal year?"

(b) If a majority of voters voting on the question vote in the affirmative, the proposed warrant article shall be in effect in accordance with the terms of the article until such time as the town or village district meeting votes to rescind its vote.

II. Such money shall be used only for legal purposes for which a town or village district may appropriate money.

III. The selectmen or board of commissioners shall hold a prior public hearing on the action to be taken. Notice of the time, place, and subject of such hearing shall be published in a newspaper of general circulation in the relevant municipality at least 7 days before the hearing is held.

IV. Action to be taken under this section shall:

(a) Not require the expenditure of other town or village district funds except those funds lawfully appropriated for the same purpose; and

(b) Be exempt from all provisions of RSA 32 relative to limitation and expenditure of town or village district moneys.

Source. 1979, 42:1. 1991, 25:1. 1993, 176:3, eff. Aug. 8, 1993. 1997, 105:1, eff. Aug. 8, 1997.

TITLE 3

Towns, Cities, Village Districts, and Unincorporated Places

CHAPTER 36A

Conservation Commissions

SECTION 36-A:5

§ 36-A:5 Appropriations Authorized. – I. A town or city, having established a conservation commission as authorized by RSA 36-A:2, may appropriate money as deemed necessary for the purpose of this chapter. The whole or any part of money so appropriated in any year and any gifts of money received pursuant to RSA 36-A:4 may be placed in a conservation fund and allowed to accumulate from year to year. Money may be expended from said fund by the conservation commission for the purposes of this chapter without further approval of the town meeting.

II. The town treasurer, pursuant to RSA 41:29, shall have custody of all moneys in the conservation fund and shall pay out the same only upon order of the conservation commission. The disbursement of conservation funds shall be authorized by a majority of the conservation commission. Prior to the use of such funds for the purchase of any interest in real property, the conservation commission shall hold a public hearing with notice in accordance with RSA 675:7.

III. In the municipality that has adopted the provisions of RSA 79-A:25, II, the specified percentage of the revenues received pursuant to RSA 79-A shall be placed in the conservation fund.

Source. 1963, 168:1. 1973, 550:4. 1987, 318:2. 1988, 120:1, eff. June 18, 1988.

TITLE 5

Taxation

CHAPTER 79A

Current Use Taxation

SECTION 79-A:1

§ 79-A:1 Declaration of Public Interest. – It is hereby declared to be in the public interest to encourage the preservation of open space, thus providing a healthful and attractive outdoor environment for work and recreation of the state's citizens, maintaining the character of the state's landscape, and conserving the land, water, forest, agricultural and wildlife resources. It is further declared to be in the public interest to prevent the loss of open space due to property taxation at values incompatible with open space usage. Open space land imposes few if any costs on local government and is therefore an economic benefit to its citizens. The means for encouraging preservation of open space authorized by this chapter is the assessment of land value for property taxation on the basis of current use. It is the intent of this chapter to encourage but not to require management practices on open space lands under current use assessment.

Source. 1973, 372:1. 1991, 281:2, eff. Aug. 17, 1991. 1996, 176:2, eff. Aug. 2, 1996.

TITLE 5

Taxation

CHAPTER 79A

Current Use Taxation

SECTION 79-A:4

§ 79-A:4 Powers and Duties of Board; Rulemaking. – The board shall have the following powers and duties:

I. It shall meet at least annually, after July 1, to establish a schedule of criteria and current use values to be used for the succeeding year. It shall have the power to establish minimum acreage requirements of 10 acres or less. It shall also review all past current use values and criteria for open space land established by past boards. The board shall make such changes and improvements in the administration of this chapter as experience and public reaction may recommend.

II. The board shall reduce by 20 percent the current use value of land which is open 12 months a year to public recreational use, without entrance fee, and which also qualifies for current use assessment under an open space category. There shall be no prohibition of skiing, snowshoeing, fishing, hunting, hiking or nature observation on such open space land, unless these activities would be detrimental to a specific agricultural or forest crop or activity. The owner of land who opens his land to public recreational use as provided in this paragraph shall not be liable for personal injury or property damage to any person, and shall be subject to the same duty of care as provided in RSA 212:34.

III. The board shall annually determine, vote upon and recommend to the chairman of the board the schedule of criteria and current use values for use in the forthcoming tax year. The board shall hold a series of at least 3 public forums throughout the state to receive general comment through verbal and written testimony on the current use law. After the public forums are concluded and the board has made its recommended changes, the chairman shall proceed to adopt any proposed rules, in accordance with paragraph IV.

IV. The chairman of the board shall adopt rules, pursuant to RSA 541-A, for the schedule of criteria and current use values as recommended by the board, and for other forms and procedures as are needed to implement this chapter consistent with board recommendations and to assure a fair opportunity for owners to qualify under this chapter and to assure compliance of land uses on classified lands.

Source. 1973, 372:1. 1974, 7:4. 1977, 326:3. 1982, 33:2. 1986, 62:1. 1988, 5:3. 1991, 281:7. 1993, 205:1. 1995, 137:3, eff. May 24, 1995.

TITLE 5

Taxation

CHAPTER 79A

Current Use Taxation

Miscellaneous

SECTION 79-A:25

§ 79-A:25 Disposition of Revenues. – I. Except as provided in paragraph II, all money received by the tax collector pursuant to the provisions of this chapter shall be for the use of the town or city.

II. The legislative body of the town or city may, by majority vote, elect to place the whole or a specified percentage, amount, or any combination of percentage and amount, of the revenues of all future payments collected pursuant to this chapter in a conservation fund in accordance with RSA 36-A:5, III. The whole or specified percentage or amount, or percentage and amount, of such revenues shall be deposited in the conservation fund at the time of collection.

III. If adopted by a town or city, the provisions of RSA 79-A:25, II shall take effect in the tax year beginning on April 1 following the vote and shall remain in effect until altered or rescinded pursuant to RSA 79-A:25, IV.

IV. In any town or city that has adopted the provisions of paragraph II, the legislative body may vote to rescind its action or change the percentage or amount, or percentage and amount, of revenues to be placed in the conservation fund. Any such action to rescind or change the percentage or amount, or percentage and amount, shall not take effect before the tax year beginning April 1 following the vote.

Source. 1973, 372:1. 1988, 120:2. 1991, 281:19, 20, eff. Aug. 17, 1991.

TITLE 5

Taxation

CHAPTER 79A

Current Use Taxation

Miscellaneous

SECTION 79-A:25-a

§ 79-A:25-a Land Use Change Tax Fund. – I. Towns and cities may, pursuant to RSA 79-A:25-b, vote to account for all revenues collected pursuant to this chapter in a land use change tax fund separate from the general fund. After a vote pursuant to RSA 79-A:25-b, no land use change tax revenue collected under this chapter shall be recognized as general fund revenue for the fiscal year in which it is received, except to the extent that such revenue is appropriated pursuant to paragraph II of this section. Any land use change tax revenue collected pursuant to this chapter which is to be placed in a conservation fund in accordance with RSA 79-A:25, II, shall first be accounted for as revenue to the land use change tax fund before being transferred to the conservation fund at the time of collection.

II. After any transfer to the conservation fund required under the provisions of RSA 79-A:25, II, the surplus remaining in the land use change tax fund shall not be deemed part of the general fund nor shall any surplus be expended for any purpose or transferred to any appropriation until such time as the legislative body shall have had the opportunity at an annual meeting to appropriate a specific amount from said fund for any purpose not prohibited by the laws or by the constitution of this state. At the end of an annual meeting, any unappropriated balance of land use change tax revenue received during the prior fiscal year shall be recognized as general fund revenue for the current fiscal year.

Source. 1991, 156:1. 1992, 122:1, eff. June 30, 1992.

TITLE 5

Taxation

CHAPTER 80

Collection Of Taxes

Real Estate Tax Liens

SECTION 80:80

§ 80:80 Transfer of Tax Lien. – I. No transfer of any tax lien upon real estate acquired by a town or city as a result of the execution of the real estate tax lien by the tax collector for nonpayment of taxes thereon shall be made to any person by the municipality during the 2-year period allowed for redemption, nor shall title to any real estate taken by a town or city in default of redemption be conveyed to any person, unless the town, by majority vote at the annual meeting, or city council by vote, shall authorize the selectmen or the mayor to transfer such lien or to convey such property by deed.

II. If the selectmen or mayor are so authorized to convey such property by deed, either a public auction shall be held, or the property may be sold by advertised sealed bids. The selectmen or mayor shall have the power to establish a minimum amount for which the property is to be sold and the terms and conditions of the sale.

II-a. If the selectmen or mayor are authorized to transfer such liens during the 2-year redemption period, either a public auction shall be held, or the liens may be sold by advertised sealed bids. The selectmen or mayor may establish minimum bids, and may set the terms and conditions of the sale. Such liens may be sold singly or in combination, but no fractional interest in any lien shall be sold. Such transfer shall not affect the right of the owner or others with a legal interest in the land to redeem the tax lien pursuant to RSA 80:69, or make partial payments in redemption pursuant to RSA 80:71, but the transferee shall become the lienholder for purposes of RSA 80:72 and 80:76.

III. The selectmen may, by a specific article in the town warrant, or the mayor, by ordinance, may be authorized to dispose of a lien or tax deeded property in a manner than otherwise provided in this section, as justice may require.

IV. Such authority to transfer or to sell shall continue in effect for one year from the date of the town meeting or action by the city or town council provided, however, that the authority to transfer tax liens, or to sell real estate acquired in default of redemption, or to vary the manner of such sale or transfer as justice may require, may be granted for an indefinite period, in which case the warrant article or vote granting such authority shall use the words "indefinitely, until rescinded" or similar language.

V. Towns and cities may retain and hold for public uses real property the title to which has been acquired by them by tax collector's deed, upon vote of the town meeting or city council approving the same.

VI. For purposes of this section, the authority to dispose of the property "as justice may require" shall include the power of the selectmen or mayor to convey the property to a former owner, or to a third party for benefit of a former owner, upon such reasonable terms as may be agreed to in writing, including the authority of the municipality to retain a mortgage interest in the property, or to reimpose its tax lien, contingent upon an agreed payment schedule, which need not necessarily reflect any prior redemption amount. Any such agreement shall be recorded in the registry of deeds. This paragraph shall not be construed to obligate any municipality to make any such conveyance or agreement.

Source. 1987, 322:1. 1992, 173:3, 4. 1993, 176:10, eff. Aug. 8, 1993. 1997, 266:4, eff. Jan. 1, 1998.

TITLE 18

Fish And Game

CHAPTER 212

Propagation Of Fish And Game

Liability of Landowners

SECTION 212:34

§ 212:34 Duty of Care. – I. An owner, lessee or occupant of premises owes no duty of care to keep such premises safe for entry or use by others for hunting, fishing, trapping, camping, water sports, winter sports or OHRVs as defined in RSA 215-A, hiking, sightseeing, or removal of fuelwood, or to give any warning of hazardous conditions, uses of, structures, or activities on such premises to persons entering for such purposes, except as provided in paragraph III hereof.

II. An owner, lessee or occupant of premises who gives permission to another to hunt, fish, trap, camp, hike, use OHRVs as defined in RSA 215-A, sightsee upon, or remove fuelwood from, such premises, or use said premises for water sports, or winter sports does not thereby:

(a) Extend any assurance that the premises are safe for such purpose, or

(b) Constitute the person to whom permission has been granted the legal status of an invitee to whom a duty of care is owed, or

(c) Assume responsibility for or incur liability for an injury to person or property caused by any act of such person to whom permission has been granted except as provided in paragraph III hereof.

III. This section does not limit the liability which otherwise exists:

(a) For willful or malicious failure to guard or warn against a dangerous condition, use, structure or activity; or

(b) For injury suffered in any case where permission to hunt, fish, trap, camp, hike, use for water sports, winter sports or use of OHRVs as defined in RSA 215-A, sightsee, or remove fuelwood was granted for a consideration other than the consideration, if any, paid to said landowner by the state; or

(c) The injury caused by acts of persons to whom permission to hunt, fish, trap, camp, hike, use for water sports, winter sports or use of OHRVs as defined in RSA 215-A, sightsee, or remove fuelwood was granted, to third persons as to whom the person granting permission, or the owner, lessee or occupant of the premises, owed a duty to keep the premises safe or to warn of danger.

Source. 1961, 201:1. 1969, 77:1-3. 1973, 560:4. 1977, 208:1. 1981, 146:5, VI, eff. Jan. 1, 1982; 538:7, 13, eff. June 30, 1981.

TITLE 18

Fish And Game

CHAPTER 215A

Off Highway Recreational Vehicles And Trails

SECTION 215-A:1

§ 215-A:1 Definitions. – As used in this chapter unless the context clearly indicates otherwise, the following words and phrases shall have the following meanings:

I. "Accompanied by" means when a person is within sight and when actual physical direction and control can be effected.

I-a. "Antique snow traveling vehicle" means any snow traveling vehicle manufactured prior to the year 1969 or 20 or more years old owned by a resident of the state. For the purposes of this chapter, all vehicles within this definition shall be classified as off highway recreational vehicles.

I-b. "All terrain vehicle (ATV)" means any motor-driven vehicle which is designed or adapted for travel over surfaces other than maintained roads with one or more tires designed to hold not more than 10 pounds per square inch of air pressure, having capacity for passengers or other payloads, not to exceed 1,000 pounds net vehicle weight, and not to exceed 50 inches in width. For the purposes of this chapter, all vehicles within this definition shall be classified as off highway recreational vehicles.

II. "Bureau" means the bureau of trails in the department of resources and economic development.

III. "Cowl" means the forward portion of a snow traveling vehicle surrounding the motor.

IV. "Executive director" means the executive director of the fish and game department.

V. "OHRV" means off highway recreational vehicle.

VI. "Off highway recreational vehicle" means any mechanically propelled vehicle used for pleasure or recreational purposes running on rubber tires, belts, cleats, tracks, skis or cushion of air and dependent on the ground or surface for travel, or other unimproved terrain whether covered by ice or snow or not, where the operator sits in or on the vehicle. All legally registered motorized vehicles when used for off highway recreational purposes shall fall within the meaning of this definition; provided that, when said motor vehicle is being used for transportation purposes only, it shall be deemed that said motor vehicle is not being used for recreational purposes. For purposes of this chapter "off highway recreational vehicle" shall be abbreviated as OHRV.

VII. "Operate", in all its moods and tenses, when it refers to an OHRV, means to use that vehicle in any manner for transportation.

VIII. "Operator" means a person riding on or in, and who is in actual physical control of, an OHRV.

IX. "Owner" means any person, other than a lienholder, having title to an OHRV.

X. "Public way" means any public highway, street, sidewalk, avenue, alley, park or parkway, or any way that is funded by state, city, town, county, or the federal government, or laid out by statute, or any parking lots open for use by the public or vehicular traffic, or any frozen surface of a public body of water; provided, however, the off highway portion of any trail established specifically for OHRVs shall not be a public way.

XI. "Public water" means any public body of water as defined by RSA 271:20 which has been frozen over and is sufficient to hold any person or vehicle, whatsoever. Such public waters shall be deemed a public way and any violation shall be treated as if it took place on land.

XII. "Resident" means a citizen of the United States who has lived and made his home continuously within the state not less than 6 months next and has paid his current resident tax prior to his application for registration of an OHRV and has not during that period claimed a residence in any other state for any purpose.

XIII. "Snow traveling vehicle" means any vehicle propelled by mechanical power that is designed to travel over ice or snow supported in part by skis, belts or cleats. For the purposes of this chapter, all vehicles within this definition shall be classified as off highway recreational vehicles.

XIV. "Trail bike" means any motor-driven wheeled vehicle on which there is a saddle or seat for the operator or passenger or both and which is designed or adapted for travel over surfaces other than maintained roads, whether covered by ice or snow or not. For the purposes of this chapter, all vehicles within this definition shall be classified as off highway recreational vehicles.

XV. "Registered for Highway Use" means any OHRV as defined in RSA 215-A:1, VI or trail bike as defined in RSA 215-A:1, XIV which is registered for use on the highways of the state under the provisions of RSA 261. Said registered vehicles shall comply with the provisions of RSA 215-A:35-39.

XVI. "Traveled portion" means all areas of a public highway between the plowed snowbanks.

XVII. "Trail connector" means that specific portion of an OHRV trail authorized within a state highway right-of-way by the department of transportation.

Source. 1981, 538:3. 1983, 449:1. 1985, 137:1; 261:1, 2. 1986, 152:2-6. 1989, 179:1. 1993, 53:3, eff. June 15, 1993. 1997, 268:2, eff. July 1, 1997.

TITLE 18
Fish And Game
CHAPTER 215A
Off Highway Recreational Vehicles And Trails
SECTION 215-A:34

§ 215-A:34 Posted Land. – I. An owner may post all or any portion of his land against use by an OHRV. Such notices may read "SNOW TRAVELING VEHICLES PROHIBITED" or "OHRVs PROHIBITED" or may have in lieu of these words an appropriate sign with the designated symbol of sufficient size to be readable at a distance of 50 feet indicating that use of this land is prohibited for the purpose so specified. Whoever without right enters such land that has been so posted shall be guilty of a violation. Provided, however, that failure of an owner to post his land as provided in this section shall not be construed as granting any license to users of OHRVs to enter said premises, nor shall said failure be construed as implying any duty of care to the user of an OHRV by the owner.

II. It is recognized that OHRV operation may be hazardous. Therefore, each person who drives or rides an OHRV accepts, as a matter of law, the dangers inherent in the sport, and shall not maintain an action against an owner, occupant, or lessee of land for any injuries which result from such inherent risks, dangers, or hazards. The categories of such risks, hazards, or dangers which the OHRV user assumes as a matter of law include, but are not limited to, the following: variations in terrain, trails, paths or roads, surface or subsurface snow or ice conditions, bare spots, rocks, trees, stumps, and other forms of forest growth or debris, structures on the land, equipment not in use, pole lines, fences, and collisions with other operators or persons.

Source. 1981, 538:3. 1983, 449:16. 1985, 193:1, eff. July 30, 1985.

TITLE 20
Transportation
CHAPTER 228
Administration of Transportation Laws
Railroads and Other Common Carriers

SECTION 228:67

§ 228:67 Disposition of Acquired or Abandoned Rail Properties. – Whenever the commissioner determines that certain acquired or abandoned rail properties owned by the state pursuant to RSA 228:60-a, II; 228:60-a, VI; 228:60-b; or any other means are no longer needed, he may transfer or sell such rail properties, excluding the railroad bed and right-of-way lying within a corridor, to any other state department or agency, or political subdivision of the state, which will utilize such properties for public purposes and, if no state department or agency, or political subdivision, wants such properties, the commissioner may sell them, with the proceeds from the sale distributed to the Federal Railroad Administrator, Department of Transportation, in accordance with the grant agreement for the federal share of the participation in the original purchase of the rail properties. The balance shall be deposited into the special fund established in RSA 228:68. Such transfer or sale shall require approval of the long range capital planning and utilization committee and the governor and council. For the purpose of this section, "corridor" shall mean from the point of origin of railroad tracks or bed and right-of-way to the point of terminus within the state, excluding spur lines and sidings which are incidental to the main line. **Source.** 1981, 568:55. 1986, 217:4. 1990, 94:1, eff. June 12, 1990.

TITLE 20

Transportation

CHAPTER 231A

Municipal Trails

SECTION 231-A:1

§ 231-A:1 Class A and B Trails. – I. A class A trail shall be a full public right-of-way, of indefinite duration subject to public trail use restrictions. It shall not have the status of a publicly approved street, and shall not be used as a vehicular access for any new building or structure, or for the expansion, enlargement, or increased intensity of use of any existing building or structure. It may, however, be used by the owners of land abutting on such trail, or land served exclusively by such trail, to provide access for such nondevelopment uses as agriculture and forestry, or for access to any building or structure existing prior to its designation as a trail, and such owners' access for such uses shall be exempt from applicable public trail use restrictions, subject only to reasonable time, season and manner regulations imposed by the local governing body. The municipality shall bear no responsibility for maintaining the trail for such uses by abutting owners. Such owners shall, prior to excavation, construction or disturbance of a class A trail, obtain permission from the municipal officers, in the same manner prescribed for highways in RSA 236:9-11.

II. A class B trail shall be a full public right-of-way of indefinite duration subject to public trail use restrictions. It shall not have the status of a publicly approved street, shall not be used as a vehicular access for any new or existing building or structure, and shall not be used by the owners of land served by or abutting on such trail in any manner inconsistent with applicable public trail use restrictions.

Source. 1993, 60:2, eff. Jan. 1, 1994.

TITLE 20

Transportation

CHAPTER 231A

Municipal Trails

SECTION 231-A:2

§ 231-A:2 Reclassification of Highways; Damages. – I. Any class V or VI highway may be reclassified as a class A or class B trail, and any class A trail may be reclassified as a class B trail, by vote of the local legislative body.

II. In accordance with RSA 231:43, no highway of any class which provides the sole access to any land shall be reclassified as a class B trail without the written consent of the owner of that land.

III. Whenever a reclassification is made under this section, any aggrieved landowner may appeal, or may petition for the assessment of damages, in the same manner as in the discontinuance of highways pursuant to RSA 231:48 and 231:49, and the amount of damages, if any, shall reflect the landowner use provisions set forth in RSA 231-A:1.

Source. 1993, 60:2, eff. Jan. 1, 1994.

TITLE 20
Transportation
CHAPTER 231A
Municipal Trails
SECTION 231-A:4

§ 231-A:4 Public Trail Use Restrictions. – In this chapter "public trail use restrictions" means any restrictions upon use of a trail by the general public. Such restrictions may be imposed by a landowner as a condition of grant or dedication of a trail acquired under RSA 231-A:5, or by vote of the local legislative body or its designee at or subsequent to the time the trail is established, or by the local governing body under RSA 41:11. Such restrictions may include, but are not limited to, prohibition of motor vehicles, prohibition of wheeled vehicles, prohibition of off highway recreational vehicles, or restriction to specified modes of travel such as horse, bicycle, or foot. Such restrictions, if posted using legible signs at entrances to the trail from public highways, or at any property boundaries where new or different restrictions become applicable, shall be enforceable in the same manner as traffic violations as set forth in RSA 265. Any person violating such restrictions shall be guilty of a violation.

Source. 1993, 60:2, eff. Jan. 1, 1994.

TITLE 20
Transportation
CHAPTER 231A
Municipal Trails

SECTION 231-A:5

§ 231-A:5 Acquisition of New Trails. – I. Municipalities shall not use the power of eminent domain to establish trails.

II. A class A or B trail may be established by the local legislative body or its designee over any land previously acquired by the municipality, including land acquired by the conservation commission pursuant to RSA 36-A:4, or town forests established pursuant to RSA 31:110, unless the establishment of such trail would violate any right or interest reserved or retained by a prior grantor or held by a third party.

III. The local legislative body or its designee may acquire, by dedication and acceptance or by gift, purchase, grant or devise:

(a) Any class A or B trail, subject to such public trail use restrictions as may be imposed by deed by the owner or grantor; or

(b) Any lesser interest in land for trail purposes, including but not limited to a revocable easement, revocable license, lease or easement of finite duration, or conservation restriction, subject to such public trail use restrictions and such reserved rights as may be imposed by or agreed upon with the owner or grantor.

IV. A properly established conservation commission may utilize RSA 36-A:4 for the acquisition of trails.

Source. 1993, 60:2, eff. Jan. 1, 1994.

TITLE 20

Transportation

CHAPTER 231A

Municipal Trails

SECTION 231-A:8

§ 231-A:8 Liability Limited. – I. All trails established under this chapter shall be deemed to constitute land open without charge for recreational or outdoor educational purposes pursuant to RSA 212:34 and RSA 508:14, I, and the liability of owners, lessees or occupants of land affected by a trail, and of the municipality establishing the trail, shall be limited as set forth in those statutes.

II. The liability of any person performing volunteer management or maintenance activities for or upon any trail established under this chapter, with the prior written approval of the body or organization with supervision over trail management pursuant to RSA 231-A:7, shall be limited as set forth in RSA 508:17, and such management shall not be deemed "care of the organization's premises" under RSA 508:17, IV.

Source. 1993, 60:2, eff. Jan. 1, 1994.

TITLE 20
Transportation
CHAPTER 231
Cities, Towns and Village District Highways
Liability of Municipalities
SECTION 231:93

§ 231:93 When Municipalities Not Liable. – Municipalities shall not be deemed to have any duty of care whatsoever with respect to the construction, maintenance or repair of class I, III, III-a or VI highways, or state maintained portions of class II highways. Upon any highway or other way with respect to which a municipality is found to have a duty of care of any kind, its liability shall be limited as set forth in this subdivision.

Source. RS 105:4. 1945, 188:1, part 18:18. RSA 247:18. 1981, 87:1. 1991, 385:7. 1992, 265:14, eff. July 1, 1992.

TITLE 21
Motor Vehicles
CHAPTER 260
Administration Of Motor Vehicle Laws
Road Tolls

SECTION 260:61

§ 260:61 Credit Provided; Liability Insurance. – I. Annually on or before June 30 the state treasurer shall transfer, from road tolls collected, an amount equal to the number of licensed OHRVs for the previous year times the average number of gallons consumed per year per OHRV times the gasoline road toll imposed under RSA 260:32, less any amount refunded for OHRV use for the previous year, to the OHRV bureau. For the purposes of this section, "the average number of gallons consumed per year per OHRV" is 50. The OHRV bureau shall use 66-2/3 percent of the amount credited for grants under its grant-in-aid program, and 33-1/3 percent for general operating expenses and expenses incurred in administering and supervising the grant-in-aid program. Any balances in the funds hereby transferred shall not lapse at the end of the fiscal year but shall remain in the OHRV fund.

II. The OHRV bureau's grant-in-aid program shall bear the expenses of the following:

- (a) A liability insurance policy for the benefit of landowners who allow snowmobilers to use their property, and
- (b) A liability insurance policy for the benefit of landowners who lease their land to the state of New Hampshire for use by snowmobilers.

Source. RSA 265:29-a. 1979, 298:1. 1981, 146:1. 1983, 449:29. 1993, 320:1, eff. June 23, 1993.

TITLE 52
Actions, Process, And Service Of Process
CHAPTER 508
Limitation of Actions

SECTION 508:14

§ 508:14 Landowner Liability Limited. – I. An owner, occupant, or lessee of land, including the state or any political subdivision, who without charge permits any person to use land for recreational purposes or as a spectator of recreational activity, shall not be liable for personal injury or property damage in the absence of intentionally caused injury or damage.

II. An owner of land who permits another person to gather the produce of the land under pick-your-own or cut-your-own arrangements, provided said person is not an employee of the landowner and notwithstanding that the person picking or cutting the produce may make remuneration for the produce to the landowner, shall not be liable for personal injury or property damage to any person in the absence of willful, wanton, or reckless conduct by such owner.

Source. 1975, 231:1. 1979, 439:1. 1981, 293:2. 1985, 193:2, eff. July 30, 1985.

TITLE 52

Actions, Process, And Service Of Process

CHAPTER 508

Limitation of Actions

SECTION 508:17

§ 508:17 Volunteers; Nonprofit Organizations; Liability Limited. – I. Any volunteer of a nonprofit organization or government entity shall be immune from civil liability in any action brought on the basis of any act or omission resulting in damage or injury to any person if:

- (a) The volunteer had prior written approval from the organization to act on behalf of the organization; and
- (b) The volunteer was acting in good faith and within the scope of his official functions and duties with the organization; and
- (c) The damage or injury was not caused by willful, wanton, or grossly negligent misconduct by the volunteer.

I. Any person who is a volunteer of a nonprofit organization or government entity shall be immune from civil liability in any action brought on the basis of any act or omission resulting in damage or injury to any person if:

- (a) The nonprofit organization or government entity has a record indicating that the person claiming to be a volunteer is a volunteer for such organization or entity; and
- (b) The volunteer was acting in good faith and within the scope of his official functions and duties with the organization; and
- (c) The damage or injury was not caused by willful, wanton, or grossly negligent misconduct by the volunteer.

I-a. The following form shall be sufficient as a writing required under this section and shall serve as prima facie evidence of the approval required under paragraph I:

Dear _____:

You are hereby recognized as a volunteer of the (name of organization) which exists for the following purposes (list purposes). Your tenure as a volunteer will continue until your resignation or until your termination by the organization. The purpose of this letter is to comply with the provisions of RSA 508:17, the volunteer immunity law, as that law may be amended from time to time.

Thank you for your service.

_____, &# 95; _____

Authorized Officer Officer

I-a. [Repealed.]

II. Liability of a nonprofit organization for damage or injury sustained by any one person in actions brought against the organization alleging negligence on the part of an organization volunteer is limited to \$250,000. Such limit applies in the aggregate to any and all actions to recover for damage or injury sustained by one person in a single incident or occurrence. Liability of a nonprofit organization for damage or injury sustained by any number of persons in a single incident or occurrence involving negligence on the part of an organization volunteer is limited to \$1,000,000.

III. Nothing in this section shall be construed to affect any civil action brought by any nonprofit organization against any volunteer of such organization.

IV. Volunteer activity related to transportation or to care of the organization's premises shall be excepted from the provisions of paragraph I of this section.

V. In this section:

(a) "Damage or injury" includes physical, nonphysical, economic and noneconomic damage and property damage.

(b) "Nonprofit organization" shall include, but not be limited to, a not for profit organization, corporation, community chest, fund or foundation organized and operated exclusively for religious, cultural, charitable, scientific, recreational, literary, agricultural, or educational purposes, or to foster amateur competition in a sport formally recognized by the National Collegiate Athletic Association, and an organization exempt from taxation under section 501(c) of the Internal Revenue Code of 1986 organized or incorporated in this state or having a principal place of business in this state.

(c) "Volunteer" means an individual performing services for a nonprofit organization or government entity who does not receive compensation, other than reimbursement for expenses actually incurred for such services. In the case of volunteer athletic coaches or sports officials, such volunteers shall possess proper certification or validation of competence in the rules, procedures, practices, and programs of the athletic activity.

Source. 1988, 280:1. 1990, 116:1-3, eff. Jan. 1, 1991. 1998, 255:1, 2, eff. Jan. 1, 1999.

TITLE 64
Planning And Zoning
CHAPTER 674
Local Land Use Planning And Regulatory Powers
Master Plan
SECTION 674:2

§ 674:2 Master Plan Purpose and Description. – The master plan shall generally be comprised of a report or set of statements and land use and development proposals with accompanying maps, diagrams, charts and descriptive matter designed to show as fully as is possible and practical the planning board's recommendations for the desirable development of the territory legally and logically within its planning jurisdiction. The master plan shall be a public record subject to the provisions of RSA 91-A, the sole purpose and effect of which shall be to aid the planning board in the performance of its duties. The master plan shall include, if it is appropriate or if it is specifically required as a prerequisite for the adoption of implementation measures, the following specific sections, to be adapted by the planning board to the special requirements of the municipality:

- I. A general statement which shall include such topics as the objectives, principles, assumptions, policies and standards upon which the constituent proposals for the physical and socioeconomic development of the municipality are based.
- II. A land use section which takes into account natural conditions and which shows the existing conditions and the proposed location, extent, and intensity of future land usage.
- III. A housing section which analyzes existing housing resources and addresses current and future housing needs of residents of all levels of income of the municipality and of the region in which it is located, as identified in the regional housing needs assessment performed by the regional planning commission pursuant to RSA 36:47, II.
- IV. A transportation section showing the location and types of facilities for all modes of transportation required for the efficient movement of people and goods into, about, and through the municipality.
- V. A utility and public service section analyzing the need for and showing the present and future general location of existing and anticipated public and private utilities, their supplies and distribution and storage facilities.
- VI. A community facilities section showing the location of, type, and need for educational or cultural facilities, historic sites, libraries, hospitals, fire houses, police stations and other related facilities, including their relation to the surrounding areas.
- VII. A recreation section which shows existing recreation facilities and which addresses future recreation needs.
- VIII. A conservation and preservation section which may provide for the preservation, conservation, and use of natural and man-made resources. The conservation and preservation section of the master plan should include a local water resources management and protection plan as specified in RSA 4-C:22. This plan should be reviewed and revised as necessary at intervals not to exceed 5 years.
- VIII-a. A construction materials section which summarizes known sources of construction materials which are available for future construction materials needs, including, at a minimum, the location and

estimated extent of excavations which have been granted permits under RSA 155-E, as well as reports filed pursuant to RSA 155-E:2, I(d) with respect to non-permitted excavations.

IX. Appendices or separate reports, where appropriate, which contain the underlying scientific and statistical data for the master plan and its constituent elements.

Source. 1983, 447:1. 1986, 167:2. 1988, 270:1. 1989, 339:28, eff. Jan. 1, 1990; 363:15, eff. Aug. 4, 1989.

TITLE 64
Planning And Zoning
CHAPTER 674
Local Land Use Planning And Regulatory Powers
Master Plan
SECTION 674:3

§ 674:3 Master Plan Preparation. – I. The planning board in the course of preparing and amending or revising the master plan may make surveys and studies and may review data and information relative to the existing conditions and probable future growth of the municipality and its environs. The master plan shall be made with the general purpose of guiding and accomplishing coordinated and harmonious development which will, in accordance with existing and probable future needs, promote health, safety, order, convenience, prosperity, or the general welfare as well as efficiency and economy in the process of development.

II. The master plan shall include, among other things, adequate provision for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements.

III. During the preparation of the various sections of the master plan, the board shall inform the general public and solicit public comments regarding the future growth of the municipality in order to involve citizens in the preparation of the master plan in a way which is most appropriate for the municipality.

Source. 1983, 447:1, eff. Jan. 1, 1984.

TITLE 64

Planning And Zoning

CHAPTER 674

Local Land Use Planning And Regulatory Powers

Master Plan

SECTION 674:4

§ 674:4 Master Plan Adoption and Amendment. – The planning board may, according to the procedures required under RSA 675:6, adopt the master plan as a whole, or may adopt successive sections or parts of the plan. Sections or parts of the plan shall correspond with major geographical sections or divisions of the municipality, or with the functional elements of the plan, and may incorporate any amendment, extension, or addition to the plan.

Source. 1983, 447:1, eff. Jan. 1, 1984.



RESOURCE REFERENCES

Publications

A Hard Road to Travel, H. Bernie Waugh, Jr. of the New Hampshire Municipal Association 1997

New Hampshire Non-Motorized Multi-Use Trails Manual, Merrimack River Watershed Council 1996

Building Foot Trails: A Guide for Towns and Landowners, Ted Bonner circa 1996

Best Management Practices for Erosion Control During Trail Maintenance and Construction, NH Department of Resources and Economic Development 1996

Handbook for Municipal Conservation Commissions in New Hampshire, NH Association of Conservation Commissions, 1988 with revisions through 1997

At What Cost? Shaping the Land We Call New Hampshire, edited by Richard Ober, Society for the Protection of NH Forests 1992

Trails for the 21st Century: A Planning, Design, and Management Manual for Multi-Use Trails, Rails-to-Trails Conservancy 1993

Secrets of Successful Rail-Trails: An Acquisition and Organizing Manual for Converting Rails into Trails, Rails-to-Trails Conservancy 1993

Concord Trail System, Concord Conservation Commission 1997

NH / Central Region Public Land Trusts

Audubon Society of NH
Silk Farm Road, PO Box 8200
Concord, NH 03301 ☎ 224-9909

Ausbon Sargent Land Preservation Trust
Deborah Stanley, Executive Director
PO Box 2040
New London, NH 03257 ☎ 526-6555

Bearpaw Regional Greenways
Frank Mitchell, President
PO Box 19
Deerfield, NH 03037 ☎ 463-7562

Bow Open Spaces
Bob Dawkins, Treasurer
41 South Bow Road
Bow, NH 03304 ☎ 225-3678

Concord Conservation Trust
Douglas Woodward, Chair
54 Portsmouth Street
Concord, NH 03303 ☎ 224-9945

Gilmanton Land Trust
c/o Tom Howe and Sarah Thorne
RFD 1 Box 429
Gilmanton IW, NH 03837 ☎ 364-6131

Harris Center for Conservation Education
Meade Cadot, Director
341 Kings Highway
Hancock, NH 03449 ☎ 525-3394

Highland Lake Association
James Lane, President
PO Box 103
Washington, NH 03280

Lakes Region Conservation Trust
Tom Curren, Executive Director
PO Box 1097
Meredith, NH 03253 ☎ 279-3246

The Nature Conservancy
2 1/2 Beacon Street, Suite 6
Concord, NH 03301 ☎ 224-5853

Society for the Protection of NH Forests
54 Portsmouth Street
Concord, NH 03301 ☎ 224-9945

Trust for Public Lands
Peter Forbes, Regional Director
33 Union Street
Boston, MA 02108 ☎ (617) 367-6200

Turkey River Basin Trust
Mary Louise Hancock, Chair
33 Washington Street
Concord, NH 03301 ☎ 225-9721

APPENDIX C: VOLUNTEER RESOURCES

State / Other Agencies

Appalachian Mountain Club (AMC)
Business Office
PO Box 298
Gorham, NH 03581 ☎ 466-2721

Army Corps of Engineers (ACE)
424 Trapelo Road
Waltham, MA ☎ (617) 647-8111

Central NH Regional Planning Commission (CNHRPC)
12 Cross Street
Penacook, NH 03303 ☎ 753-9374

Trails Bureau
NH Department of Resources and Economic Development (NH DRED)
172 Pembroke Road, PO Box 1856
Concord, NH 03302-1856 ☎ 271-3254

NH Department of Revenue Administration (NH DRA)
45 Chennell Drive, PO Box 457
Concord, NH 03302-0457 ☎ 271-2191

NH Municipal Association (NHMA)
Triangle Park Drive, PO Box 617
Concord, NH 03302 ☎ (800) 852-3358

Rivers and Trails
National Park Service (NPS)
5 Thomas Hill
Woodstock, VT 05091 ☎ (802) 457-4323

NH Association of Conservation Commissions (NHACC)
54 Portsmouth Street
Concord, NH 03301 ☎ 224-9945

NH Department of Environmental Services (NH DES)
6 Hazen Drive, PO Box 95
Concord, NH 03305 ☎ 271-3503

NH Department of Transportation (NH DOT)
1 Hazen Drive, PO Box 483
Concord, NH 03305 ☎ 271-6495

Merrimack County Conservation District
10 Ferry Street, Box 312
Concord, NH 03301 ☎ 223-6023

Bow County Conservation District
468 Route 13 South
Milford, NH 03055 ▲ 673-2409

Merrimack County (UNH) Cooperative Extension
315 Daniel Webster Highway
Boscawen, NH 03303 ▲ 225-5505

Bow County (UNH) Cooperative Extension
Route 114
Goffstown, NH 03045 ▲ 624-9481

Rails-to-Trails Conservancy
1100 Seventeenth Street NW
Washington, DC 20036 ▲ (202) 331-9696

NH Office of State Planning
2 1/2 Beacon Street
Concord, NH 03301 ▲ 271-2155

NH Fish and Game
2 Hazen Drive, PO Box 6500
Concord, NH 03305 ▲ 271-3421

Citizens for NH Land and Community Heritage
54 Portsmouth Street
Concord, NH 03301 ▲ 224-9945

US Army Corps of Engineers
New England District
424 Trapelo Road
Waltham, MA 02254 ▲ (617) 647-8220

APPENDIX C: VOLUNTEER RESOURCES

Central Region Conservation Commissions

Allenstown Conservation Commission

Town Hall

16 School Street

Allenstown, NH 03275 ☎ 485-4276

Boscawen Conservation Commission

Town Hall

17 High Street

Boscawen, NH 03303 ☎ 796-2426

Bow Conservation Commission

Town Hall

10 Grandview Road

Bow, NH 03304 ☎ 225-3008

Bradford Conservation Commission

Town Hall

75 West Main Street

Bradford, NH 03221 ☎ 938-5900

Canterbury Conservation Commission

Town Hall

Hackleboro Road, PO Box 500

Canterbury, NH 03224 ☎ 783-9955

Chichester Conservation Commission

Town Hall

54 Main Street

Chichester, NH 03234 ☎ 798-5350

Concord Conservation Commission

City Hall

41 Green Street

Concord, NH 03301 ☎ 225-8515

Deering Conservation Commission

Town Hall

RR 1, Box 166

Bow, NH 03244 ☎ 464-3248

Dunbarton Conservation Commission

Town Hall

1011 School Street

Dunbarton, NH 03045 ☎ 774-3541

Epsom Conservation Commission

Town Hall
Suncook Valley Highway, PO Box 10
Epsom, NH 03234 ☎ 736-9002

Bow Conservation Commission
Town Hall
2 Depot Hill Road
Bow, NH 03242 ☎ 428-3221

Bow Conservation Commission
Town Hall
29 School Street, PO Box 7
Bow, NH 03244 ☎ 464-3877

Hopkinton Conservation Commission
Town Hall
330 Main Street
Hopkinton, NH 03229 ☎ 746-3170

Loudon Conservation Commission
Town Hall
29 South Village Road, PO Box 7837
Loudon, NH 03301 ☎ 798-4541

Pembroke Conservation Commission
Town Hall
311 Pembroke Street
Pembroke, NH 03275 ☎ 485-4747

Pittsfield Conservation Commission
Town Hall
85 Main Street, PO Box 98
Pittsfield, NH 03263 ☎ 435-6773

Salisbury Conservation Commission
Town Hall
9 Old Church Road, PO Box 214
Salisbury, NH 03268 ☎ 648-2473

Sutton Conservation Commission
Town Hall
93 Main Street, PO Box 85
North Sutton, NH 03260 ☎ 927-4416

APPENDIX C: VOLUNTEER RESOURCES

Warner Conservation Commission
Town Hall
5 East Main Street, PO Box 265
Warner, NH 03278 ☎ 456-2298

Webster Conservation Commission
Town Hall
945 Battle Street
Webster, NH 03303 ☎ 648-2272

STEPS TO CREATING A MUNICIPAL TRAIL SYSTEM

Steps to Creating a Municipal Trail System

1. Gather an Interested Group of People

- local officials (Conservation Commission, Planning Board, Selectmen, Historic District Commission)
- landowners, enthusiasts and retired folks
- snowmobile, biking, and equestrian clubs
- teachers and school children
- Boy and Girl Scouts

2. Inventory Existing Trails, Rights-of-Way, Class VI Roads, and Utility Corridors

- record general locations on maps
- find detailed parcel information in Town Hall, Registry of Deeds, or by other source
- record the actual geographic position by using Global Positioning System (GPS) technology
- document trail condition, maintenance and usage information

3. Determine Where to Link the Trails or Create New Trails

- note those parcels which are desired in accordance with the Master Plan

4. Produce a Plan of the Findings

- why are trails important?
- consider conservation land and what future areas to focus on
- address land management: i.e., topography, special characteristics, suitable uses
- produce a detailed listing of the information about each existing and proposed trail
- decide what uses of each trail are most appropriate
- include appendices of maps, sample landowner agreements, sample conservation easement deeds, trail checklists, volunteer liability forms, statutes, sample warrant articles

5. Implement the Plan

- adoption of the Plan by the Planning Board as a component of the Master Plan
- Town designation of select trails as official (enforceable) Class A & B trails
- contact landowners of identified parcels and initiate the process of seeking permission
- pursue grants, volunteer labor, local donations, technical expertise
- trail construction and maintenance

6. Promote the Trails

- meet on a monthly or bi-monthly basis to coordinate trails happenings
- produce a brochure or small guidebook of the trails with descriptions
- ask for volunteer “trailmeisters” to maintain trails and report problems
- partner with other public/private groups in Town or local schools
- hold trail maintenance events or trails naming contests
- produce signage



VOLUNTEER LIABILITY FORM

(on Conservation Commission letterhead)

Volunteer Liability Form
NH Revised Statutes Annotated 508:17

BOW CONSERVATION COMMISSION

What is RSA 508:17?

It states that volunteers working for nonprofit organizations are not held liable for damages or accidents that may occur while acting with good faith during their volunteer tenure with the organization. In the case of the duly organized Bow Conservation Commission, of which the Trails Committee is a subcommittee of, such volunteer work includes trail-related activities, equipment handling, site investigation, and other duties associated with being a volunteer for this organization. RSA 508:17 protects you from civil liability.

Dear _____,

You are hereby recognized as a volunteer of the Bow Conservation Commission, which exists for the following purposes:

- to regularly inventory natural resources and open space;
- to acquire and manage conservation land in an effective manner;
- to create and maintain recreational trails for the benefit of the public;
- to monitor the proper adherence of protective ordinances and legislation; and
- to provide guidance to the Planning Board and Board of Selectmen on conservation-related matters.

Your tenure as a volunteer will continue until your resignation or until your termination by the organization.

Thank you for your service.

Chair, Bow Conservation Commission

Date

Selectman, Bow Board of Selectmen

Date

08/01/00

VOLUNTEER TRAIL MAINTENANCE AGREEMENT "ADOPT-A-TRAIL"

(on Conservation Commission letterhead)

**Volunteer Trail Maintenance Agreement
"Adopt-A-Trail"**

BOW CONSERVATION COMMISSION

I/We, _____ of _____, Bow,
(herein after referred to as "Trailmeister") hereby volunteer to periodically monitor and maintain the

_____ Trail (herein after referred to as the "Trail") of the
Town of Bow in accordance with the attached Trail Maintenance Job Description.

I/We also agree to coordinate with the Trails Committee of the Bow Conservation Commission on a
regular basis to report on activities related to the Trail, using the attached Trail Report Form as a guide.

If I/We cannot to fulfill the duties as a Trailmeister as noted in the attached Trail Maintenance Job
Description, I/We agree to inform the Chair of the Trails Committee who may offer another
person/family the opportunity to "Adopt" this Trail.

I/We may, with written notice to the Chair of the Trails Subcommittee, resign from my/our volunteer
Trailmeister duties at any time.

Trailmeister

Date

Trailmeister

Date

Chair, Bow Trails Committee

Date

Chair, Bow Conservation Commission

Date

08/01/00

TRAIL MAINTENANCE GUIDELINES "JOB DESCRIPTION"

(on Conservation Commission letterhead)

Trail Maintenance Guidelines:
a "Job Description"
for the Volunteer Trailmeister

BOW CONSERVATION COMMISSION

Welcome, Trailmeister! Thank you for volunteering your time and energy to the recreational trails within the Town. We are very proud of what we have accomplished and look forward to more ways to share our trails with the public. Volunteer efforts are the foundation of our success. We believe you will find your experience rewarding and satisfying. In order to help you with your efforts, this "Job Description" outlines what is asked of you as a Trailmeister:

Periodic Services of the Trailmeister

Guideline 1

Trail Reporting



- Walk your Trail and report problems or interesting finds you encounter on a Trail Report Form.
- Coordinate with the Trails Committee on a regular basis:
- Orally report on your Trail
- Provide a copy of the Report Form to the Chair of the Trails Committee for permanent recordkeeping.

Guideline 2

Trail Maintenance



- Perform light trail maintenance on a periodic basis such as picking up trash, removing fallen limbs, filling map boxes with maps, and trimming overgrown branches.
- We do not expect you to perform hard labor on your own! If you are interested, tools and expertise are available to you for larger projects such as removing fallen trees, installing map boxes, or blazing the trail. If not, a team of Trails Overseers will gladly do harder tasks.

In addition to **Trail Reporting** and **Trail Maintenance**, we also hold other events, activities, and gatherings such as monthly Trails Committee meetings, National Trails Day, trail blazing, or new trail construction. A Trails Guidebook, a document intended to provide the public with maps and narratives about every maintained trail within the Town, will be created. We can find something for every interest - just ask!

If at any time you have questions or encounter any problems, please call the Bow Town Offices at 225-3008 during business hours or call a Trails Overseer during the evenings and weekends.

08/01/00 - based upon Guidelines from the City of Concord

TRAIL REPORT FORM

Trail Report Form
BOW TRAILS COMMITTEE

Trail: _____ Date: _____

Performed by: _____

At the Trailhead (s):

Please fill the map boxes with maps. ☐

Are cars parked where they should be? ☐no ☐yes How many are present? _____

Is there any vandalism apparent to map boxes, trees, or surroundings?

☐no ☐yes _____

Are the trail signs clearly visible at both ends of the trail? ☐yes ☐no _____

On the Trail:

Please pick up litter and move fallen limbs to the side. ☐ Please trim overgrown branches. ☐

Are the blazes clearly visible? ☐yes ☐no _____

How many people did you encounter? _____ What age groups? _____

What were they doing? (hiking, biking, skiing, jogging, picnicking, etc) _____

Do you see evidence of restricted uses of the trail? ☐no ☐yes _____

Are there sections of the trail that appear dangerous? ☐no ☐yes _____

Did you see any wild animals or interesting sights? ☐no ☐yes _____

Did you notice any erosion, washouts, or wet spots that were hard to cross? ☐no ☐yes _____

Is additional work required?

- large item removal (tree, appliance, boulder) ☐no ☐yes _____

- repair of vandalism ☐no ☐yes _____

- re-blazing of trees ☐no ☐yes _____

Other Comments:

CERTIFICATE OF VOLUNTEERISM

Certificate of Volunteerism

This is to certify that

is appreciatively recognized on August 1, 2000 as
a volunteer steward

of the

Trail

of the Town of Bow, New Hampshire.

, Conservation Commission Chair

, Trails Committee Chair

RECREATIONAL TRAILS IN BOW

MESSAGE FROM PSNH

NOTICE TO ALL RESIDENTS

DELINEATION OF ACTIONS ON RECREATIONAL EASEMENTS



This Section

- γ Base Map
- γ Topographic Map
- γ Public Lands, Easements, and Rights-of-Way Map
- γ Existing Trail System Map
- γ Proposed Open Space Trail System Map